

Recording Requested by and
When Recorded Mail to:

CALIFORNIA COASTAL COMMISSION
631 Howard Street, 4th Floor
San Francisco, California 94105
Attn: Legal Department

RECORDED AT THE OFFICE OF
Harry Fish
DEC 5 4 32 PM '86

OFFICE OF RECORDER
COUNTY OF MONTEREY
SALINAS, CALIFORNIA

66041

IRREVOCABLE OFFER TO DEDICATE PUBLIC ACCESS EASEMENT

AND

DECLARATION OF RESTRICTIONS

(25 Foot Corridor)

R	134
M	1
RF	132
T	267

THIS IRREVOCABLE OFFER TO DEDICATE PUBLIC ACCESS EASEMENT
AND DECLARATION OF RESTRICTIONS (hereinafter "Offer") is made
this 5th day of December, 1986 by Ventana Inn, Inc., a California
corporation (hereinafter referred to as "Grantor").

I. WHEREAS, Grantor is the legal owner of a fee interest of
certain real property located in the County of Monterey, State
of California, and described in the attached Exhibit A
(hereinafter referred to as the "Property");

II. WHEREAS, all of the Property is located within the
"Coastal Zone" as defined in Section 30103 of the California
Public Resources Code (which code is hereinafter referred to as
the "Public Resources Code");

III. WHEREAS, the California Coastal Act of 1976 (hereinafter
referred to as the "Act") creates the California Coastal
Commission (hereinafter referred to as the "Commission") and
requires that any development approved by the Commission must

be consistent with the policies of the Act set forth in Chapter 3 of Division 20 of the Public Resources Code;

IV. WHEREAS, pursuant to the Act, Grantor applied to the Commission for a permit to undertake development as defined in the Act within the Coastal Zone of Monterey County (hereinafter the "Permit");

V. WHEREAS, a coastal development permit (Permit No. 3-82-171) was granted on October 13, 1982, and Coastal Development permit No. 3-82-171A on June 10, 1986 by the California Coastal Commission in accordance with the Staff Recommendation and Findings (Exhibit B) attached hereto and incorporated herein by this reference, subject to the following condition:

5. PRIOR TO ISSUANCE of permit, the Executive Director shall certify in writing that the following condition has been satisfied. The permittee shall execute and record a document or documents in a form and content approved by the Executive Director of the Commission irrevocably offering to dedicate to a public agency or a private association approved by the Executive Director, the following easements for public access and recreation:

a. A coastal lateral access pedestrian and equestrian easement the length of the permittee's properties from the northern property boundary to the southern property boundary. Except for minor modifications to avoid existing or permitted structures, such easement shall be 25 ft. minimum in width and shall be designed to connect Pfeiffer-Big Sur State Park to the proposed Ventana picnic area and Coast Ridge Road in a manner which avoids exposure of pedestrians to traffic on State Highway Route 1. Wherever physically feasible, the easement shall also be designed to allow trail location on a separate

alignment where parallel to the Ventana campground/restaurant entrance road(s), and to allow connection with future coastal lateral access easement, if any, which may be located on lands adjacent to the southern-most boundary of permittee's southernmost parcel.

b. A pedestrian and equestrian easement on Coast Ridge Road at all locations where such road is located in whole or in part within the permittee's parcels. In lieu of executing a new easement, permittee may submit any existing U.S. Forest Service easement or easements prepared to satisfy County of Monterey permit conditions, provided that the Executive Director determines that such submittal carries out the intent to provide public access in an equivalently effective manner. The location of these easements shall be consistent with the approved LUP and the Commission's Conservancy "Standards and Recommendations for Coastal Access".

Such easements shall be free of prior liens or encumbrances except for tax liens. While the easements may be subject to reasonable conditions to provide for the operation and maintenance of a pedestrian/equestrian trail, the easement shall provide that no signs or barriers shall be erected or retained which would cause the visitor to believe the trail(s) to be closed to public use (an exception for extreme fire danger or other officially declared emergency should be indicated).

The offer shall run with the land in favor of the people of the State of California binding successors and assigns of the permittee and future landowners. The offer of dedication shall be irrevocable for a period of 25 years, such period running from the date of recording.

VI. WHEREAS, the Property is a parcel optimally located to provide a segment of a coastal lateral access trail to be used for public recreation and access, and under the policy of Section 30223 of the California Coastal Act of 1976 upland

areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible;

VII. WHEREAS, under the policies of Sections 30210 through 30212 of the California Coastal Act of 1976, public access through the Coastal Zone is to be maximized;

VIII. WHEREAS, the Commission found that but for the imposition of the above condition, the proposed development could not be found consistent with the public access policies of Section 30210 through 30212 and 30223 of the California Coastal Act of 1976; and

IX. WHEREAS, it is intended that this Offer is irrevocable and shall constitute enforceable restrictions within the meaning of Article XIII, Section 8 of the California Constitution and that said Offer, when accepted, shall thereby qualify as an enforceable restriction under the provisions of the California Revenue and Taxation Code, Section 402.1.

NOW THEREFORE, in consideration of the granting of Permit No. 3-82-171 to Grantor by the Commission, Grantor hereby offers to dedicate to the People of the State of California or a public agency or a private association acceptable to the Executive Director of the Commission an easement in perpetuity for the purposes of constructing and maintaining for public use a pedestrian and equestrian trail (the "Trail") located within a twenty-five foot (25') corridor

as specifically set forth on Exhibit C attached hereto and incorporated herein by this reference.

1. BENEFIT AND BURDEN. This Offer shall run with and burden the Property and all obligations, terms, conditions and restrictions hereby imposed shall be deemed to be covenants and restrictions running with the land and shall be effective limitations on the use of the Property from the date of recordation of this document and shall bind the Grantor and all successors and assigns. This Offer shall benefit the People of the State of California.

2. DECLARATION OF RESTRICTIONS. The Grantor is restricted from interfering with the use by the public of the area subject to the offered easement for public access. This restriction shall be effective from the time of recordation of this Offer and Declaration of Restrictions.

3. ADDITIONAL TERMS, CONDITIONS, AND LIMITATIONS. Prior to the opening of the accessway, the Grantee, in consultation with the Grantor, may record additional reasonable terms, conditions and limitations on the use of the Property in order to assure that this Offer for a public access is effectuated.

4. CONSTRUCTION AND VALIDITY. If any provision of these restrictions is held to be invalid or for any reason becomes unenforceable, no other provision shall be thereby affected or impaired.

5. SUCCESSORS AND ASSIGNS. The terms, covenants, conditions, exceptions, obligations and reservations contained in this Offer shall be binding upon and inure to the benefit of the successors and assigns of both the Grantor and the Grantee, whether voluntary or involuntary.

6. TERM. This irrevocable offer of dedication shall be binding for a period of twenty ~~five~~ ^{one} (21) years. Upon recordation of an acceptance of this Offer by the Grantee, this Offer and the terms, conditions and restrictions herein shall have the effect of a grant of access easement in gross and perpetuity that shall run with the land and be binding on the parties, their heirs, assigns and successors. The People of the State of California shall accept this Offer through the local government in whose jurisdiction the Property lies, or through a public agency or a private association acceptable to the Executive Director of the Commission (the "Executive Director"), or its successor in interest.

Acceptance of this Offer is subject to a covenant which runs with the land, providing that any offeree to accept the easement may not abandon it but must instead offer the easement to other public agencies or private associations acceptable to the Executive Director for the duration of the term of the original Offer.

7. DESIGN AND CONSTRUCTION OF THE TRAIL. Grantor and Grantee and the Executive Director shall agree (such agreement not to be unreasonably withheld or delayed by any party) on the

exact location and design of the Trail, which shall be constructed by Grantee or Grantee's representative at Grantee's or Grantee's representative's expense. The width of the Trail shall generally not exceed five (5) feet except where a greater width is needed to conform with the standards of construction for similar trails in nearby National Forest lands as published by the United States Forest Service.

8. DEVELOPMENT WITHIN THE EASEMENT. Prior to the time when the Trail construction is commenced, Grantor agrees that it shall submit any plans for development within the easement to the Executive Director for his prior, written approval, so as not to interfere with potential trail routes.

9. PROHIBITED USES OF TRAIL. Except where existing or permitted roads cross the Trail, use of the Trail shall at all times be restricted to pedestrian and equestrian traffic. No vehicular traffic (other than that of vehicles owned by a governmental agency) shall be permitted on the Trail. Camping in or adjacent to the Trail shall not be permitted without consent of both the Grantor and the Grantee or its designee. Grantor agrees that at no time shall any signs or barriers be constructed, placed, posted or erected upon, across, or in view of the Trail which might indicate to the public that access to the Trail is restricted, except as to signs warning of officially declared emergency conditions.

10. RESPONSIBILITY FOR TRAIL. The Grantee's representative shall have complete responsibility for the operation, repair, maintenance and control of the Trail.

Executed on this 5th day of December, 1985, ^{ABJ}
at San Francisco, California. _{JWT}

VENTANA INN, INC.
OWNER, a California
corporation

By: Wang T. H.

Its: Vice President

This is to certify that the Offer to Dedicate set forth above is hereby acknowledged by the undersigned officer on behalf of the California Coastal Commission pursuant to authority conferred by the California Coastal Commission when it granted Coastal Development Permit No. 3-82-171 on October 13, 1982, and the California Coastal Commission consents to recordation thereof by its duly authorized officer.

Dated: December 5, 1985 ^{7H JCOA}

California Coastal Commission

By: Judith W. Allen

Title: Staff Counsel

[ALL SIGNATURES MUST BE ACKNOWLEDGED]

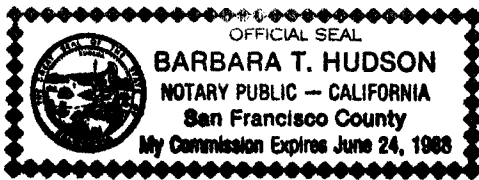
REEL 2033 PAGE 716

STATE OF CALIFORNIA)

COUNTY OF San Francisco)

SS.

On December 5, 1986, before me Barbara T. Hudson, a Notary Public, personally appeared Judith W. Allen, personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed this instrument as the Staff Council and authorized representative of the California Coastal Commission and acknowledged to me that the California Coastal Commission executed it.



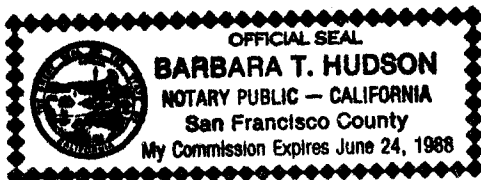
Barbara T. Hudson
Notary Public in and for said
County and State

STATE OF California)COUNTY OF San Francisco)

SS.

On this the 5th day of December, 1986, before me, Barbara T. Hudson, the undersigned Notary Public, personally appeared Harry Teit, personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed this instrument as Vice President or on behalf of Ventana Inn, Inc., and acknowledged to me that the corporation executed it.

WITNESS my hand and official seal.



Barbara T. Hudson
Notary's Signature

Situate in the County of Monterey, State of California, to-wit:

PARCEL I:

Certain real property situate in the County of Monterey, State of California being a portion of Sections 32 and 33 in Township 19 South, Range 2 East, M. D. B. & M., and a portion of Section 5 in Township 20 South, Range 2 East, M. D. B & M., said portion being particularly described as follows:

BEGINNING at the most westerly corner of that certain parcel of land described in deed from Joseph W. Post, Jr., et al, to John H. Ramistella, dated November 20, 1968 and recorded November 21, 1968 in Reel 582 of Official Records of Monterey County at page 156. Said parcel described in deed to Ramistella being shown on that certain Record of Survey Map filed in Volume 8 of Surveys at page 156, Monterey County Records, and said point of beginning being marked by a 2" capped iron pipe "LS 2746" as shown on said Record of Survey Map; thence following the northeasterly line of the California State Highway (bearings of the following six courses being 1° 43' 50" clockwise of those stated on the highway deed), said northeasterly line being the northeasterly boundary of the strip of land 80 feet wide described in deed to the State of California for highway purposes, from Joseph W. Post, et al, dated February 7, 1936 and recorded March 10, 1936 in Volume 469 of Official Records of Monterey County at page 387.

N. 17° 34' 40" W., 108.48 feet; thence

Northwesterly along a tangent curve to the left with a radius of 380 feet, through a central angle of 43° 53' for an arc distance of 291.05 feet; thence tangentially

N. 61° 27' 40" W., 86.43 feet; thence

Northwesterly along a tangent curve to the right with a radius of 360 feet, through a central angle of 27° 46' for an arc distance of 174.46 feet; thence tangentially

N. 33° 41' 40" W., 324.36 feet; thence

Northwesterly along a tangent curve to the right with a radius of 360 feet, through a central angle of 23° 17' 40" for an arc distance of 146.36 feet; thence (bearings of the following fourteen courses being 1° 40' 20" clockwise of those stated on the highway deeds of record)

N. 3° 43' 20" E., non-tangentially to the preceding course and following the easterly line of the 60 foot wide strip of land described to the State of California for road purposes by deed from J. W. Post dated July 12, 1922 and recorded December 26, 1922 in Volume 10 of Official Records of Monterey County at page 130, 299.71 feet; thence again along the easterly boundary of said 80 foot highway strip

N. 6° 50' 20" E., 77.44 feet; thence

Northerly along a tangent curve to the left with a radius of 640

Continued-----

feet through a central angle of $10^{\circ} 23' 25''$ for an arc distance of 116.06 feet; thence non-tangentially and again along the easterly line of said 60 foot highway strip

N. $3^{\circ} 43' 20''$ E., 111.30 feet; thence

Northerly and northwesterly along a tangent curve to the left with a radius of 230 feet, through a central angle of $49^{\circ} 44' 30''$ for an arc distance of 199.68 feet; thence tangentially

N. $46^{\circ} 01' 10''$ W., 72.15 feet; thence

N. $26^{\circ} 53' 10''$ W., again along the easterly boundary of said 80 foot highway strip, 149.18 feet; thence again along the easterly line of said 60 foot highway strip

Northerly along a non-tangent curve to the right with a radius of 220 feet, through a central angle of $0^{\circ} 27' 22''$ for an arc distance of 1.75 feet to a point of reverse curvature from which the center of said curve of radius 220 feet bears N. $83^{\circ} 22' 50''$ E., thence

Northwesterly along a tangent reverse curve to the left with a radius of 310 feet through a central angle of $30^{\circ} 23' 15''$ for an arc distance of 164.41 feet to the southerly boundary of that certain parcel of land described in deed from Joseph W. Post, et al, to the State of California dated June 4, 1937 and recorded in Volume 536 of Official Records of Monterey County at page 203; thence following the boundary of said last described parcel

N. $73^{\circ} 02' 20''$ E., 166.19 feet; thence

N. $18^{\circ} 11' 40''$ W., 126.53 feet; thence

N. $81^{\circ} 46' 40''$ W., 61.40 feet; thence

N. $10^{\circ} 20' 40''$ W., 192.15 feet; thence

N. $19^{\circ} 34' 40''$ W., 308.99 feet to intersection of said highway parcel boundary with the north line of the south half of the southeast quarter of said Section 32, Township 19 South, Range 2 East, M. D. B. & M., thence leaving the easterly line of said State Highway as shown on said highway map

S. $88^{\circ} 05' 05''$ E. along said north line of the south half of the southeast quarter of Section 32, a distance of 2603.00 feet to the section line between Sections 32 and 33, T. 19 S., R. 2 E., at the northwest corner of the south half of the southwest quarter of Section 33; thence

S. $87^{\circ} 23' 33''$ E., along the north line of the south half of the southwest quarter of Section 33, a distance of 1,170.04 feet; to the Northwest corner of that certain parcel of land described in the Deed

Continued-----

to Zad Leavy, et ux, recorded October 20, 1972 in Reel 804 at Page 990, Monterey County Records; thence leaving said North line, and running along the boundary lines of said Leavy parcel the following courses and distances, S. 20° 38' W. 188.58 feet; thence S. 32° 28' 20" W. 198.23 feet; thence S. 63° 20' E. 455 feet; thence N. 86° 18' E. 218.98 feet; thence N. 80° 48' E. 364.04 feet; thence N. 2° 02' 11" E. 438.17 feet to said North line of the South Half of the Southwest quarter of Section 33; thence along said North line S. 87° 23' 33" E. 183 feet; thence leaving said North line S. 2° 02' 11" W. 1326.21 feet to the South line of Section 33 and Township line between Townships 19 South, Range 2 East and 20 South, Range 2 East, said line being the Northerly boundary of said parcel described in Deed to Ramistella; thence along said Township line and Ramistella boundary N. 87° 27' 49" W. 370.47 feet to the Southeast corner of that certain parcel of land described in the Deed to Anne Cole recorded May 12, 1972 in Reel 771 at Page 458, Monterey County Records; thence along the Easterly and Northerly lines of said Cole parcel the following courses and distances N. 2° 02' 11" E. 250 feet; thence N. 13° 41' 20" W. 511 feet; thence S. 56° 20' W. 200 feet; thence S. 83° 13' 40" W. 438.73 feet to the Northeast corner of that certain parcel of land described in the Deed to William B. Burleigh and Sam L. Foster recorded April 26, 1973 in Reel 842 at Page 1112, Monterey County Records; thence along the Northerly lines of said Burleigh parcel the following courses and distances, S. 44° 30' 40" W. 198.31 feet; thence N. 82° 54' 40" W. 230 feet; thence N. 49° 31' 15" W. 270.02 feet; thence S. 41° 44' W. 135.61 feet; thence S. 21° 16' 40" W. 128.30 feet to the Southeast corner of that certain parcel of land described in the deed to Lawrence A. Spector recorded February 24, 1975 in Reel 961 at Page 561, Monterey County Records; thence along the boundary lines of said Spector parcel the following courses and distances, N. 43° 20' W. 480 feet; thence N. 76° 39' 10" E. 814 feet; thence N. 13° 20' 50" W. 245.19 feet; thence N. 87° 23' 33" W. 781.31 feet; thence S. 25° 00' W. 520 feet; thence S. 43° 00' E. 564.05 feet to the Westerly line of said Burleigh parcel; thence leaving said Spector parcel and following the Westerly line of said Burleigh parcel the following courses and distances, S. 15° 12' 20" W. 92.18 feet; thence S. 67° 48' 50" W. 241.40 feet; thence South 60 feet; thence S. 82° 20' E. 170 feet; thence S. 70° 30' E. 60 feet to the aforementioned South line of Section 33; thence leaving said Westerly line of Burleigh and running along the Northerly line of the aforementioned Ramistella parcel (Reel 582 Page 156), N. 87° 27' 49" W. 156 feet to 2" capped iron pipe "LS 2746" marking the common corner of Sections 32 and 33, T. 19 S., R. 2E., and Sections 4 and 5, T. 20 S., R. 2E., as shown on said Records of Survey to which reference is above made; thence leaving said township line, but continuing along the boundary of said parcel described in deed to Ramistella

Continued-----

PARCEL I. Cont'd
S. 2° 31' 07" W., 1293.15 feet to 2" capped iron pipe "LS 2746"
shown on said Record of Survey Map; thence N. 88° 19' 47" W.,
1557.38 feet to the point of beginning. REEL 2033 PAGE 720

EXCEPTING THEREFROM 1/10th interest in Spring Lot described in the deed from Big Sur Ventana Corporation, a California corporation; to Anne Cole, a single woman, dated May 1, 1972 and recorded May 12, 1972 in Reel 771 of Official Records of Monterey County at Page 458.

RESERVING THEREFROM a non-exclusive right of way for road and utilities purposes over a strip of land 60 feet wide lying 30 feet on each side of the centerline described in courses 1 through 28 of the Course Table shown on said map.

PARCEL II:

Non-exclusive right of way 60 feet wide for road purposes for ingress and egress as set forth in the deed from John H. Ramistella to Big Sur Ventana Corporation, a California corporation, J. William Post, Jr., J. William Post and Mary Post Fleenor, dated July 20, 1972 and recorded August 23, 1972, in Reel 792 of Official Records of Monterey County at Page 988.

PARCEL III:

Non-exclusive right of way 30 feet wide for road and utilities purpose as reserved in the deed from Big Sur Ventana Corporation to Anne Cole, a single woman, dated May 1, 1972 and recorded May 12, 1972, in Reel 771 of Official Records of Monterey County at Page 458.

PARCEL IV:

Non-exclusive right of way for road and utilities purposes as reserved in the deed from Big Sur Ventana Corporation a California corporation to Zad Leavy and Laela Leavy, husband and wife, as Joint Tenants, date October 6 1972 and recorded October 20, 1972, in Reel 804 of Official Records of Monterey County at Page 990.

PARCEL V:

Non-exclusive right of way over that portion of the 60' right of way described by the centerline set forth in the Course Table of said Survey Map, filed in Volume 10 of Surveys at Page 100, lying within the boundary of the Spector parcel abovementioned (Reel 961, Page 561).

PARCEL VI:

Non-exclusive right of way for road and utilities purposes as reserved in the Deed to William B. Burleigh and Sam L. Foster recorded April 26, 1973 in Reel 842 at Page 1112, Monterey County Records.

RECEIVED

NOV 20 1986

Exhibit 3: Ventana Inn OTDs

EXHIBIT 3 9/30/82

CALIFORNIA COASTAL COMMISSION
CENTRAL COAST DISTRICT

701 OCEAN STREET, ROOM 310

SANTA CRUZ, CA 95060

(408) 426-7390 ATSS: 8-529-2304

TRANSAMERICA REALTY SERVICES, INC.

FILED: 7/7/82

49th DAY: 8/25/82 (time waived)

180th DAY: 1/5/83

STAFF REPORT: 9/20/82

HEARING DATE: 10/13/82

STAFF: Joy Chase/ja/lt/cw

REEL 2033 PAGE 721

ADOPTED

REGULAR CALENDAR

PROJECT DESCRIPTION

APPLICANT: Ventana Inn, Inc.

PERMIT NO: 3-82-171

PROJECT LOCATION: Approximately 3½ miles south of Big Sur Village,
Big Sur area of Monterey County.

PROJECT DESCRIPTION: Construct 19 inn units, swimming pool, bath house,
restaurant, kitchen addition, picnic area, 15 employee housing units,
recreation building, ancilliary trail, parking, and septic systems; remodel
Post Homestead into store and staff apartment; convert 15 campsites to tent
cabins; pave portion of Coast Ridge Road.

LOT AREA: +170 acres

ZONING: Scenic Conservation 1 unit/acre.

BLDG. COVERAGE: New: 20,500 sq. ft.

PLAN DESIGNATION: Rural Community Center;
Watershed and Scenic Conservation

PAVEMENT COVERAGE: New: 31,000
sq. ft.

PROJECT DENSITY: 1 unit/.91 acres (59 Inn,
34 staff, 92 campsites; 1 SFD)

LANDSCAPE COVERAGE: New: 3,000
sq. ft.

HEIGHT ABV. FIN. GRADE: Varies

LOCAL APPROVALS RECEIVED: Use Permit #2605 (1/11/78) - amendment (11/6/81);
Use Permit #ZA-4896 (4/16/82); Use Permit #2869 (5/21/81).

SUBSTANTIVE FILE DOCUMENTS: Coastal Permit files P-78-396, Appeal 445-78 and
amendments; P-80-125; Appeal 180-80; 3-82-36. EIR, Sept. 1977;

McCarty Springs EIR, July 1979; Water Management Plan, July 1980;

Post Creek Watershed Study, March 1982; Monterey County Big Sur Land
Use Plan as approved by the Commission, September 1981.

EXHIBIT B

REEL 2033 PAGE 722

RECOMMENDATION

The Staff recommends that the Commission adopt the following Resolution:

Approval with Conditions

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that, as conditioned, the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act..

SUGGESTED CONDITIONSApproved Development

1.a. A Coastal Development permit is hereby granted for the restaurant kitchen expansion improvements.

1.b. A Coastal Development Permit is hereby granted for the employee housing subject to Regional Water Quality Control approval of the Wastewater disposal system.

1.c. This portion of the coastal development permit authorizes the construction of 19 inn units, 15 staff units, picnic area improvements and all related or required improvements pursuant to the following conditions, except that the staff recreational building is not permitted at this time.

1.d. Any future development on any of Ventana's parcels including new tent cabins, or closure of any facilities shall require an amendment request..

Construction Schedules

2. PRIOR TO ISSUANCE of permit, permittee shall submit to the Executive Director for review and approval a construction schedule and operation plan for all aspects of the development. The scheduling shall provide that:

a. No site grading 100 cubic yards or more, shall take place between November 15 and April 15. The contractor shall submit interim stabilization measures to minimize erosion during the construction period for all areas of disturbance.

b. Employee housing shall be constructed prior to or concurrent with the inn units but in any event shall be available for occupancy prior to occupancy of the inn units.

Lower Cost Recreational Facilities and Trails

REEL 2033 PAGE 723

3. Within 180 days of the effective date of this permit, permittee shall provide a timetable for processing and within one year of the effective date of the permit shall have completed construction of 19 campsites or their equivalent.

This lower cost facility shall have received all necessary approvals and shall be consistent with the requirements of the Big Sur Coast Land Use Plan and shall be located in the Big Sur Valley area. Plans, including location, waste disposal, management responsibility, and construction timing, shall be submitted for Executive Director review and approval. The Executive Director may determine that a separate coastal permit is required for the facility if located off-site. However, no separate permit will be required if the facility constitutes a walk-in campground located on the 72 acre parcel.

4. Prior to occupancy of the approved inn units, the permittee shall provide:

a. Plans for the picnic area showing sanitation facilities including water and restrooms (may be chemical toilets). The plan shall be accompanied by Monterey County Planning and Health Department approval and an installation schedule.

b. Plans for eight campsites to replace those lost to employee housing (may be added to the 19 lower-cost units, condition #3 above).

5. PRIOR TO ISSUANCE of permit, the Executive Director shall certify in writing that the following condition has been satisfied. The permittee shall execute and record a document or documents in a form and content approved by the Executive Director of the Commission irrevocably offering to dedicate to a public agency or a private association approved by the Executive Director, the following easements for public access and recreation:

a. A coastal lateral access pedestrian and equestrian easement the length of the permittee's properties from the northern property boundary to the southern property boundary. Except for minor modifications to avoid existing or permitted structures, such easement shall be 25 ft. minimum in width and shall be designed to connect Pfeiffer-Big Sur State Park to the proposed Ventana picnic area and Coast Ridge Road in a manner which avoids exposure of pedestrians to traffic on State Highway Route 1. Wherever physically feasible, the easement shall also be designed to allow trail location on a separate alignment where parallel to the Ventana campground/restaurant entrance road(s), and to allow connection with future coastal lateral access easement, if any, which may be located on lands adjacent to the southern-most boundary of permittee's southernmost parcel.

3-82-171

VENTANA INN, INC.

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b. A pedestrian and equestrian easement on Coast Ridge Road at all locations where such road is located in whole or in part within the permittee's parcels. In lieu of executing a new easement, permittee may submit any existing U.S. Forest Service easement or easements prepared to satisfy County of Monterey permit conditions, provided that the Executive Director determines that such submittal carries out the intent to provide public access in an equivalently effective manner. The location of these easements shall be consistent with the approved LUP and the Commission's/Conservancy "Standards and Recommendations for Coastal Access".

Such easements shall be free of prior liens or encumbrances except for tax liens. While the easements may be subject to reasonable conditions to provide for the operation and maintenance of a pedestrian/equestrian trail, the easement shall provide that no signs or barriers shall be erected or retained which would cause the visitor to believe the trail(s) to be closed to public use (an exception for extreme fire danger or other officially declared emergency should be indicated).

The offer shall run with the land in favor of the people of the State of California binding successors and assigns of the permittee and future landowners. The offer of dedication shall be irrevocable for a period of 25 years, such period running from the date of recording.

Water Resources

6. PRIOR TO ISSUANCE of permit, permittee shall submit to the Executive Director for review and approval a comprehensive Project Water Monitoring and Management Plan which includes the following:

a. Data Collection Program

(1) Stream flows in Post Creek shall be monitored on a regular basis throughout the year at several locations in the Watershed in order to begin building a sound data base on water availability and current diversion. This will be accomplished through use of temporary or permanent weirs placed in the streambed at various locations established by a qualified hydrologist, State Department of Fish and Game and the Commission. But at a minimum, one weir shall be installed above the log jam at the north property line of permittee's northern parcel, hereafter called Station 1. Weirs shall be in place as early as possible in compliance with Department of Fish and Game authorizations. Stream flows shall be monitored and recorded on a regularly scheduled basis agreed upon by the permittee, the hydrologist, Department of Fish and Game, and the Commission.

(2) Water consumption by major use categories, i.e., campgrounds, employee housing, etc., shall be metered. Water use readings shall be recorded at the minimum, at the same time as the stream flow measurements.

3-82-171

VENTANA INN, INC.

Page 5

(3) Water supply facilities shall be metered to provide quantitative data on individual sources, i.e. Post Creek, Campground Spring, Well, Redwood Springs, and data shall be recorded, at the minimum, at the same time as the stream flow measurements.

b. Conservation Plan for Resource Protection

(1) When Post Creek stream flow drops to 112 gpm as measured at Station 1, permittee shall commence and incrementally effect additional water conservation measures which shall correlate water use with stream flow so that before surface flow at Station 1 is reduced to 60 gpm, all diversions under permittee's control (excepting obligatory supply to off-site residential structures) shall cease and permittee will rely solely on groundwater source (i.e. restaurant well). The water conservation measures and correlated reduction in use shall be submitted as part of this plan.

(2) All plumbing fixtures, new and old, for the full site shall be fitted with water conservation fixtures which restrict flow of water. Permittee shall submit an inventory of units and identify compliance features. In addition, for campground facilities, all showers and faucets shall be equipped with automatic shut-off devices to minimize waste from faucets being left on.

c. Fishery Resource Enhancement Program

Within one year of the effective date of this permit, and in accordance with the development plan submitted, permittee shall construct, maintain, and operate pipeline and pump from the Big Sur River to protect the steel-head spawning area of Post Creek in accordance with the recommendations of the Department of Fish and Game and in accord with any requirements of the California Department of Parks and Recreation. Unless otherwise designated by the Department of Fish and Game, system capacity shall be adequate to provide a sustained flow of at least 60 gallons per minute over the spawning bed. Permittee shall expeditiously pursue the processing of necessary permits and authorizations from these agencies and shall regularly apprise the Commission of their progress.

d. Permittee shall record a deed restriction agreeing to permanently follow this monitoring and management plan.

e. Post Creek Watershed Management Plan

Permittee shall record a deed restriction agreeing to cooperate and participate in the Post Creek Watershed Management Plan formation and implementation as finally developed under the Local Coastal Program.

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Scenic Resources

7. PRIOR TO ISSUANCE OF PERMIT, permittee shall submit a proposal for modification of the existing scenic/open space easement as may be necessary for the protection of scenic resources on the permittee's property, to provide for the protection of the viewshed as seen from State Highway Route 1. Such modified easement shall be free of prior liens or encumbrances, except for tax liens. Permittee shall submit for Executive Director, Attorney General, and Grantee review and approval, the terms, conditions and consent of grantee for the modified easement, prior to recording. The modified easement shall be recorded with the County Recorder prior to occupancy of the inn units.

The modified easement shall include provisions to prohibit grading and other development; to prevent disturbance of native trees, groundcover and wildlife; to prevent damage by excess concentrations of livestock; and to provide for maintenance needs. Exceptions may be included for any development sites hidden by natural land forms or native vegetation; for further improvements along the Highway 1 frontage from Post Homestead through the old entrance road location; and for any developments constructed pursuant to this or prior coastal development permits.

An alternative approach (such as recordation of deed restrictions or covenants) insuring with equivalent effectiveness the protection of the public interest in maintaining undamaged scenic vistas as seen from State Highway Route 1, may be accepted in lieu of a scenic easement, subject to prior review and approval by the Executive Director.

8. Within 180 days of permit issuance, permittee shall submit for Executive Director review and approval landscaping plans emphasizing natural and drought resistant species and showing maximum feasible screening for those improvements potentially visible from State Highway Route 1 (parking lot, crib wall). Permittee shall not install new exterior lighting in any location where the light source is directly visible from State Highway Route 1.

9. Prior to surfacing of lower Coast Ridge Road, permittee shall submit for review by the Executive Director an evaluation of alternative techniques for effectively stabilizing the road surface. Emphasis shall be placed on methods which would harmonize with the rural character of the area. Final selection of surfacing method and materials shall be subject to approval by the Executive Director. Safety signing shall also be provided subject to Executive Director review and approval.

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Other Requirements and Agency Approvals

10. PRIOR TO ISSUANCE of permit, permittee shall submit for review and approval of the Executive Director:

- a. Evidence that the Regional Water Quality Control Board has approved the wastewater disposal system as presented to the Commission. Any RWQCB recommendations that alter the current system proposal shall be submitted for the review and approval of the Executive Director.
- b. Evidence that the Monterey County fire safety requirements for the inn units shall be applied to the staff housing units as well.
- c. A revised soils engineering report indicating structural and geologic stability for revised development locations of the new inn units and surrounding area. Permittee shall submit verification that Monterey County Building Department approves the revised locations.
- d. Signing program including all elements of the development. The signing shall be in keeping with the rural character of the area.
- e. A deed restriction providing that the employee housing units may not be converted to other uses and may be occupied by employees of Ventana Inn, Inc., and their families, only. Subsequently the permittee shall record said document.

Standard Conditions

See Exhibit A.

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FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

**BACKGROUND
INFORMATION**

1. This project has extensive history before the State and Regional Commissions. Sixteen out of a requested 36 units have previously been approved by the Commission; an additional 19 are now being requested. In 1978 the applicant applied for a 36-unit expansion (P-78-396) to the existing 24-unit Inn. The Regional Commission denied the permit and the applicant appealed to the State Commission, which found a substantial issue raised by the appeal (Appeal 445-68, February 1979). The State Commission staff recommended approval of the entire 36-unit expansion, with conditions requiring, among other things, conversion of 30 existing camp sites to tent cabins; provision of a 40-bed, low-cost hostel, 30 units of employee housing, and additional parking; submittal of a Water Resource Management Plan using McCarty Springs as a backup water source, protecting the natural vegetation below the spring, and providing water conservation features; and submittal of a transit plan providing visitors with a regularly scheduled bus shuttle service to and from points on the Monterey Peninsula and points of attraction on the Big Sur Coast. However, the State Commission limited its approval of the expansion to only an additional 16 units, finding that further expansion could not be found consistent with the Coastal Act prior to a comprehensive and equitable allocation of the area's limited traffic capacity through the Local Coastal Program process. The conditions imposed limited improvements to serve only the 16 additional units and required the previously mentioned Water Resources Management Plan; these conditions have been fulfilled by the applicant. That permit also authorized construction of parking lot improvements, two staff housing units, golf cart storage, gatehouse, campground improvements and expansions to the bath house and office-lobby area. The applicant later received approval by the State Commission of an amendment to allow relocation of 3 rental units, remodeling of the office-lobby, and construction of a separate Inn-Reception building.

In 1980 the applicant reapplied to the Regional Commission for the subject permit for 20 additional units. The Regional Commission staff recommended denial of the permit.

When directed by the Regional Commission to submit a recommendation for approval with conditions, the Regional Commission staff drafted findings for approval with conditions requiring, among other things, additional water management provisions, provision of 36 units of employee housing, grading and landscaping plans, and compliance with County-imposed conditions. During the Regional Commission deliberations, the applicant offered to purchase the nearby 72 acre parcel, to be used to provide employee housing, and to lower the overall density of the project. The Regional Commission approved the project with conditions drafted by its staff with one change: the requirement for 36 units of employee housing was deleted and replaced with a requirement that the applicant purchase the 72 acre parcel and record a deed restriction prohibiting development on the parcel prior to certification of the LCP.

The approval was appealed to the State Commission by the Sierra Club. The State Commission found that the major issues of limited water supplies and traffic constraints had not been resolved and the permit was denied.

As an amendment (A-445-78, June 1981) to the original permit, the Executive Director of the State Commission approved a left turn channelization and a consolidation of the campground and Inn entrance roads, plus three 15,000 gallon water storage tanks. In March 1982 the Commission approved the demolition of the gas station, delicatessen, and a storage building on Highway 1 frontage, providing area for the previously approved entrance roadway system. These roadway improvements are now underway. The applicant's well was redrilled according to the water management plan required by the Commission in A-445-78.

PROPOSED
PROJECT

2. The proposed project is to construct 19 additional inn units, 15 units of staff housing, and a number of related improvements. A breakdown of existing and proposed development follows: (See Exhibits 1 & 2, attached.)

EXISTING

PROPOSED

INN
COMPLEX

40 inn units - office/lobby
swimming pool/terrace
bathhouse/hot tub
30 parking spaces

19 inn units (4 buildings)
2 units (640 sq. ft. each)
9 units (5-575 sq. ft., 4-720 sq. ft.)
6 units (4-540 sq. ft., 2-620 sq. ft.)
2 units (1-family unit 900 sq. ft.,
1-480 sq. ft.)
swimming pool/terrace 6144 sq. ft.
bathhouse/hot tub building, 1500 sq. ft.
30 parking spaces
trail to restaurant area from inn
(5 ft. wide, decomposed granite,
and wood bridge, low voltage path
lights).

Total Inn Units 59

RESTAURANT
COMPLEX

103 seat restaurant
retail shop/office
133 parking spaces

kitchen area addition (±600 sq. ft.)
generator housing

STAFF
HOUSING

	<u>Occupancy Range</u>
3 apartment structures (14 units)	32
1 house (2 bedroom)	2-4
1 managers's unit under construction (2 bdrm)	1-4
1 cabin interior remodel	2-4
1 cabin interior remodel	1-2

	<u>Occupancy Range</u>
9 individual efficiency units (480 sq. ft. each)	9-18
3 duplexes = 6 units (746 sq. ft. each)	12
1 SFD remodel (Post Homestead) recreation bldg. w/laundry	3

Total Range 62-79

Total Staff Units 34

NOTE: 21 campsites are currently
being used by employees

ExistingProposed

CAMPGROUND	101 campsites, 85 improved (tables, storage, some electrical outlets); 16 not fully improved; (21 spaces, fully improved, are used by employees in tents, trailers, campers.) 2 bath/wash houses, each have 1 washer, 1 dryer 1 entrance booth	15 sites will be converted to cabin tents 8 sites will be developed with employee housing units
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Note: Employees camping in campground will be moved to new housing units.

ROADWORK	Under construction: consolidate campground/inn access roads from Highway 1 and add left turn lane on Highway 1; landscape along Highway 1.	Pave Old Coast Road approximately 1000 ft.
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POST HOMESTEAD	Empty SFD.	Remodel/restore to provide (staff housing for 3 employees and) a convenience store; sundeck; 15 parking spaces
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EXISTING WATER SYSTEM	Well (newly improved, 25 gpm); 6-point intake from Post Creek, Redwood and Camp Springs intakes; McCarty Springs under construction. Storage tanks: 4-15,000 gallon, 1-12,000 gallon, 1-8,000 gallon.
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DISPOSAL SYSTEM	Septic system for all existing development.	Septic system for new inn units. Septic system for new staff housing.
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MISCEL- LANEOUS	1 SFD	Public picnic area with 21 parking spaces
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DEVELOPMENT PATTERNS AND DENSITY 3. Section 30250 of the Coastal Act states in part:

(a) New residential, commercial, or industrial development, except where otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.

(c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located on existing isolated developments or at selected points of attraction for visitors.

Also, Sections 30222 and 30223 of the Coastal Act provide:

30222. The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over development, but not over agriculture or coastal-dependent industry.

30223. Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

The proposed development is located in the vicinity of Big Sur Village, east of Highway 1, near the intersection of the Highway and Coast Ridge Road (Exhibit 1a.)

The site is already extensively developed as the chart in the above finding indicates. Past Commission hearings have raised concern about ultimate site and area densities.

Land Use Plan

The Land Use Plan as modified and approved by the Commission on September 3, 1981, provided this land use formula:

Inns: The criteria for development of visitor inn accommodations allowed in the Watershed and Scenic Conservation (WSC) and the Rural Community Center (RCC) area is (1) site suitability, (2) one-acre minimum site with a 60 unit maximum site cluster, and (3) a maximum of 500 new inn units for all of Big Sur. These units are in addition to the 800 residential units. Additionally, visitor-serving development of five or more units must be located in an existing node of development or in a State Park or at least one mile from any other concentrated visitor-serving facility, i.e., 5 plus inn units, any retail or food service. The modified plan also permits screening of concentrated visitor serving development in the Highway 1 viewshed.

Campgrounds: The plan provides that campgrounds in WSC are allowed at a density of 1 unit per 20 acres, clustered at 5 sites per acre and in the RCC, 1 unit per acre with a minimum 10 acre parcel and a maximum of 10 sites per acre. Tent platform cabins and RV campsites are to be allowed in developed parks when feasible or in undeveloped parks, and could also be allowed in the RCC's. Cabin tents were identified as a moderate intensity recreational use comparable to RV's; no designation of cabin tents per acre in the RCC zone was made.

Food Service: Restaurants are specifically allowed in Recreational and Visitor Serving Commercial areas. Dining facilities for inn guests only are permitted in the WSC designation. No site density standards were applied.

Employee Housing: Employee housing is conditionally permitted in WSC, Rural Residential, Outdoor Recreation, and Rural Community Center. No site density standards were applied.

The LUP provides that "New development or expansion of existing recreation and visitor serving facilities in the Big Sur Valley...is generally acceptable provided resource protection policies can be met" (5.4.3.c.5) and that "Visitor serving facilities may be approved on any size parcel. However the parcel shall be large enough to allow for the construction of needed employee housing, provide adequate sewage disposal and parking, and otherwise satisfy the policies of the plan" (5.4.3.c.7).

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The LUP also requires:

5.4.3.C.9 Applicants for commercial developments shall submit a profile of the number of expected employees. The profile shall indicate, in general ranges, the income of the prospective employees and other information that would allow for an assessment of the employee housing needs to be created by the development. An employee housing plan shall be submitted that indicates how the employer shall, as part of the development or satisfy all, or a substantial portion of, the housing needs of the employees.

5.4.3.I.2.C. Require that as a condition of all permits related to additions to existing public or private visitor facilities or the construction of new facilities that employee housing be constructed on-site, or in the immediate vicinity, and be made available to low and moderate income employees in accordance with Policy C-9 of this section.

LUP modifications provide that a "substantial portion" means at least 50% and that units so provided be available and affordable to low and moderate income employees over the long term. The LUP modifications also state: "Add binding guarantees that employee housing will be permanently linked to the visitor-serving use (this is particularly necessary if housing is built off-site and to prevent later subdivision from the visitor-serving use); Clarify that housing must be provided prior to or concurrent with the proposed development."

Analysis

Three factors are relevant in considering whether the proposed project is consistent with the above cited Coastal Act and Land Use Plan policies - location, density, and employee housing.

The Commission has previously found that Ventana's location in the vicinity of Big Sur Village makes it appropriate for new development consistent with Section 30250 of the Coastal Act. The Coastal Act's criteria for appropriate density is the ability of the area to accommodate development. The Commission has consistently taken into account all potential site development, including for example, impacts from employee housing. The following findings discuss water, waste water and highway capacity. The Water Supply finding indicates that there is sufficient water to serve the proposed development as conditioned; however, there may not be enough water to serve similar developments in the Post Creek watershed. One potential site for such development is the 72 acre parcel north of the inn that Ventana recently purchased. In order to make the no-adverse-cumulative-effect-finding required by Section 30250a, it must be assumed that there will be no other additional development on any of Ventana's property (except that provided for by this permit) without proof of further water availability.

The Big Sur Land Use Plan will set ultimate densities for each property consistent with the Coastal Act. The previous page delineates permitted densities in the submitted plan as modified by the Commission.

The Land Use Plan maps show the Ventana site partially in Rural Community Center (RCC) and partially in Watershed and Scenic Conservation (WSC) (approximately 80 acres (see Exhibit 3)). The LUP was modified to map "Rural Community" areas on Land Use Map #1 at a scale that permits easy identification of area boundaries and individual parcels. While County planning staff has performed such mapping at an improved scale, the maps have not yet been submitted for Coastal Commission approval. Therefore, the acreages in each land use designation mentioned in these findings are estimates only.

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In the estimated 90 acre WSC existing development includes: 50 campsites, 6 inn units, 1 employee SFD, and 1 SFD. Proposed development is 17 inn units/pool and conversion of 6 campsites to tent cabins. By LUP standards this area is already developed beyond capacity, since only 1 campsite per 20 acres would now be permitted, and the existing ratio is 1.8 campsites per one acre, or 45 campsites beyond LUP allowances.

In the estimated 80 acres of RCC there are now 51 campsites, 17 employee units, 34 inn units and a 103 seat restaurant facility as well as other amenities. Proposed are 10 employee units (delete 8 campsites), 2 inn units, conversion of 9 campsites to tent cabins. The result is 43 campsites, 33 employee units, 34 inn units, and a restaurant. Under LUP standards one campsite per acre is permitted. Site density standards for inns and restaurants are a one-acre minimum and a 60 unit maximum. No density standards are specified for employee housing which generates development impacts (wastewater, water, etc.) at least as great as that of campsites.

The LUP does permit unlimited employee housing apparently for two related reasons. First, in favoring new visitor-serving facilities, it recognizes the need to house the new workers, and there is currently little available lower cost housing in Big Sur. Second, where employees live on-site, two potential daily trips on Highway 1 per residence (i.e., to and from work) are eliminated. To the extent that employees can use on-site facilities (e.g., store, laundry, proposed new recreation room), further potential Highway 1 use is reduced. Implicit in the LUP provision is the assumption that employee housing will generate few Highway 1 trips and that these can be considered priority uses. Therefore, it is necessary under Section 30254 to ensure that employee housing will remain just that as LUP policy 5.4.3.I.2.c, as modified, requires.

Regarding employee housing, Ventana has submitted a staffing profile showing 96 to 109 employees. Six to eight new employees are required for the 19 new inn units, balancing the employees recently lost due to deli and gas station closure. Currently 37 employees are permanently housed in on-site buildings, and others live in the campground (see finding #6). This application will result in 62 to 71 employees permanently housed on site, a percentage which exceeds but will not conflict with the 50% threshold recommended in the LUP.

In conclusion, the proposed project appears inconsistent with the Land Use Plan densities regarding campsites. The land use plan is silent on two relevant characteristics of this project - determining overall densities for parcels (1) that span two land use designations and (2) that are over-developed for some uses (ie. in this case campgrounds) but within the density range for other uses also allowed (ie. in this case inn units). However, the modified land use plan is clear that a development must provide for all appropriate facilities (ie., parking, employee housing, low cost recreation) and that there be adequate land and services to accommodate a total project. Again if the 72 acre parcel were factored in, consistency with the land use plan densities could be achieved provided transferring credits were allowed. This is because if it is assumed that approximately 42 acres will be in RCC (which would allow 42 campsites) and 30 acres in WSC (which would allow 1 campsite), 43 campsite credits would result.

Since land use plan preparation is incomplete, existing County zoning remains in effect. That zoning of 1 unit (of any type - inn, house, campsite) per acre was conditioned by the County Use Permit to be increased to 1 unit per .87 acre to accommodate the expansion to 60 inn units. This rezoning has not yet occurred. It appears that a further rezoning would also be necessary to accommodate the replacement campsites if located on Ventana's existing developed property.

In summary, the proposed project's location and provision for employee housing are consistent with the Coastal Act (and existing County zoning and general plan). The exact location of facilities appears inconsistent with the Land Use Plan Map, but LUP modifications are expected to result in a more precise Map which reflects actual use. Most importantly, the overall density can be considered consistent with Coastal Act Section 30250a (and existing zoning) as discussed in the following resource findings only if the entire +242 acre holdings of Ventana are considered as conditioned. Given the current state of the land use plan (differences remain between the Commission and County, with a resubmittal expected) and its lack of clarity concerning overall site densities, a determination of total consistency with it is not necessary to approve this project. The project, as conditioned, does appear consistent with the emerging direction of the land use plan to allow further recreational development in the Big Sur Village area, generally at the proposed density.

4. Coastal Act Policies

Under Section 30250 of the Coastal Act new development must be located where there are adequate public services and where it will not have significant adverse effects, either individually or cumulatively on coastal resources. Section 30231 specifically addresses water resources:

"The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects or waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing the alteration of natural streams." (Underlining added.)

Section 30240 protects environmentally sensitive habitats from significant disruption of habitat values and requires siting and designing of development to prevent impacts and provide compatibility with the continuance of such habitat areas. Streams and riparian habitats are considered environmentally sensitive habitats by the Commission and according to the Big Sur Land Use Plan.

Habitat Values in the Post Creek Watershed

The Ventana Inn parcels are located in the Post Creek Watershed, a tributary watershed to the Big Sur River. Post Creek has a small watershed with an area of 870 acres, 1.36 sq. mi. The creek is approximately 1 and 1/2 miles in length, dropping from an elevation of 1500 feet at its headwater springs to 280 feet at its confluence with the Big Sur River. The upper reaches are often characterized by a narrow creek channel with a heavy redwood forest canopy and limited riparian vegetation.

Surface flow volumes vary significantly along the length of the stream according to the immediate creek channel geology as well as in response to seasonal and daily variations in runoff. Approximately 900 feet from its confluence with the Big Sur River, Post Creek is blocked by a log jam. Below the jam the stream gravels provide a spawning habitat for steelhead trout. (See Steelhead Habitat, Exhibit 4).

Steelhead are an anadromous fish, hatching and spending their juvenile life in the stream, maturing in the ocean and then returning to the stream to spawn. They generally spawn all winter with peak activity in January and February. They move upstream, mating and laying their eggs in areas of loose gravel. Two or three months after spawning the young fish emerge from the gravel. Juveniles generally remain in the stream for a year, migrating to the ocean in March and April. Only about 10 percent of the juveniles survive to migrate to the ocean. After 2 years, the fish return. Of every four thousand eggs hatched, one steelhead survives to maturity and returns to spawn.

Post Creek and the Big Sur River itself provide the only significant steelhead habitat in the Big Sur watershed. A barrier at Mile 7 in the Big Sur River leaves a limited spawning and nursery area. This barrier is being modified to improve upstream access for the steelhead. Three other perennial streams enter the Big Sur below the barrier; two of these are inaccessible to steelhead and one offers very limited access. Because of this, Post Creek is important in maintaining a natural steelhead fishery in the Big Sur watershed. Additionally, the riparian corridor of Post Creek includes redwood trees, associated shrubs and trees, wildlife and stream life. No rare or endangered species have been reported.

The seasonal variations in streamflow have a very important impact on the stream biota. High flows in winter provide for the flushing of accumulated fine sediment, increase stream suitability for shelter, spawning, and the growth of stream invertebrates. Sufficient baseflows between storms are necessary for the migration and spawning of the anadromous fish. Flows in summer are very critical to the stream ecosystem. In the summer, streams shrink in size, temperatures go up, concentrations of chemical substances increase, and growth of algae may become excessive. High baseflows moderate these conditions and allow the stream to support a more diverse and productive ecosystem. The amount of living space and productivity is related directly to the amount of flow.

The "Draft Protected Waterway Management Plan" for Big Sur River prepared for the Department of Fish and Game by John Stanley, Consultant to Monterey County Planning Department, identified the following concerns in water resources of the Big Sur watershed:

"(1) The active and approved water diversions in the ... Post Creek tributaries probably represent a near total commitment of all available water within the driest part of the year. (2) During the recent drought only 12.1 gpm (.027 cfs) flowed into the Big Sur River from Post Creek. These conditions were recorded in the late summer of 1976 (California Coastal Commission, 1977 and Black and Veatch, 1980). (3) There are eight separate points of diversion in the upper Post Creek drainage which are or have been relied on to meet the water needs of 700 people. Only the Coastlands Mutual Water Company has obtained a license to appropriate water from Post Creek. This watershed has a history of water supply problems."

The Plan reported that estimated yearly runoff from the entire Big Sur River watershed (both upper and lower basins) is 64,900 acre feet (Vita, 1980). The vast majority of this runoff occurs between November and May. Being that there is no means of storing any significant amount of this runoff, water resources development is limited by available water flow in the dry summer months when the base flow in the Big Sur River averages 8,785 gpm. More significant are the average flows for peak demand months such as August in which the average stream flow is 6,690 gpm. Since all water systems must be designed with the drought year flows in mind, the lowest flow measured in 1976 of 2,510 gpm should be recognized as a probable limiting factor on potential water development.

The 1976-77 drought severely reduced surface flows in Post Creek. The effects on habitat resources were disputed. Consulting ecologist Richard Robinson (10/79) stated that the vegetation habitat was not significantly affected. Certified ground water consultant John Logan (8/78) stated that water demand in the watershed could exceed supply, and diversions of creek flow would result in important reduction in the flow of lower Post Creek and perhaps even to complete drying thereof with its subsequent impacts on resources. The State Department of Fish and Game (DFG) recommended at that time no further diversions until the instream flow requirements of the anadromous fisheries resource could be determined. Currently, the Department has recommended (see attached Exhibit 5) that a minimum of 60 gallons per minute flow throughout the 900' reach where fish exist during the later summer low flow conditions. This would be a maintenance flow necessary to protect fish until the rainy season. Much higher volumes of water would be required throughout the rest of the year to provide adequate spawning, incubation and rearing flows. February discharge volumes in normal rainfall years are 11 times the summer flow for Big Sur Creek.

It is generally agreed that if year round flow is adequate to support the anadromous fish, the stream ecosystem including riparian vegetation will be protected.

Land Use Plan Policies

The Commission has conditionally approved a Land Use Plan for the Big Sur area of Monterey County. The County has not accepted the conditions and is in the process of proposing modifications to the plan. The Coastal Act remains the legal standard of review for permits where there is an uncertified Land Use Plan. However, the Commission must consider the potential impact of a proposed activity upon the ability of the local government to achieve a local coastal program consistent with the Coastal Act and thus will consider the project as it relates to the Land Use Plan as approved.

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The Local Coastal Program Land Use Plan for Big Sur identifies the protection of stream flows and water quality as a basic prerequisite to the protection of all other natural systems. Adequate water must be "retained in the stream system to provide for the maintenance of the natural community of fish, wildlife, and vegetation during the driest expected year." (3.4.1 Key Policy). To achieve this, comprehensive water management would be necessary to assure sufficient water for competing uses with sufficient reservation to protect habitat.

The LUP provides specific policies for water supply development:

- (a) The use of spring or surface diversions as preferred water sources. Wells should be located adjacent to streams and should be avoided at higher elevations. Groundwater storage basins located in the upper portions of watersheds provide water for spring and stream flows; minimum stream flows are to be protected from overdevelopment of wells which tap these underground stream reserves (3.4.3.3 condition). Groundwater and recharge areas are to be identified and mapped to preclude development of wells in these areas (3.4.3.4 condition).
- (b) Water is not to be transferred out of a watershed or between tributaries of the same watershed.
- (c) Special efforts shall be made to protect water quality, adequate year round flows, and stream bed gravel conditions in streams supporting rainbow and steelhead trout (such as Post Creek).
- (d) In most cases no intensification of water use in "Watershed Restoration Areas" is allowed. In water restoration areas, water supply has been diminished to the point that wildlife and vegetation may be adversely affected and intensification of water use (except for on-site spring use) would not be permitted without (1) demonstrated environmental acceptability of cumulative impacts of water use intensification on the watershed or (2) restoration measures completed to enhance water supply for the watershed as a whole.
- (e) Policy condition 3.4.3.2 specifically addresses Post Creek. "Add Post Creek and Palo Colorado Creek to the list of watershed restoration areas, or provide a water management plan which evaluates the resources of the streams and establishes that level of water withdrawal which could occur consistent with the basic requirements of protection and enhancement of the stream's natural resources. The water management plan shall be binding on both existing and potential water users. Additional criteria for the water management plan shall be established in the implementation phase of the LCP. If a water management plan is prepared prior to implementation, it shall be subject to Coastal Commission review. The California Department of Fish and Game will be requested to evaluate the adequacy of each water management plan submitted." (Emphasis added by staff.)

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(f) Environmentally sensitive habitat policy 3 3.3.A.3 (in part):
In order to protect riparian habitats, land use development activities will not be permitted that will have the effect of diminishing surface flows in coastal streams to levels that will result in loss of plant or wildlife habitat.

The preceding policies may serve as a guide to reviewing the applicant's proposed water use and management plan. Variation from the policies may occur if full compliance with the Coastal Act is still achieved.

Post Creek Watershed Water Users

The Post Creek watershed has an area of 870 acres. Highway 1 crosses this watershed and strips of land along each side of the highway are designated Rural Community Center in the Big Sur Land Use Plan which could allow relatively intensive development when sites are suitable. As is common throughout Big Sur, slopes are steep and often unbuildable. There are 14 separate property ownerships within the watershed; three of these do not use water from the watershed (State Parks, CalTrans, Ramistella). The Coastlands subdivision (43 lots) is not in the Post Creek watershed but exports water from Post Creek (28 existing connections) and obtains water from Mule Creek as well for additional connections. Post Creek itself flows through the Ventana property, CalTrans property, and through part of Pfeiffer Big Sur State Park where it meets the Big Sur River. (See Exhibit 3, Watershed Map).

HISTORIC POST CREEK WATERSHED INVESTIGATIONS: Attached as Exhibit 8 are staff comments on the "Big Sur Coast Subregional Analysis" and the "Preliminary Plan and Policies for the Protection of the Big Sur Coast Water Resources".

A Study of Future Water Use and Availability by Jack Mahoney, Civil Engineer, September 1979 (and subsequent follow-up reports) were Post Creek watershed investigations prepared for Ventana Inn. Because of uncertainty of water supply and highway capacity, the Commission limited approval of the Ventana Inn expansion application to 16 of the 36 units and required the applicant to prepare a water resources management plan as a condition of approval; the purposes of the plan included analysis of present and future supply and demand for water, the development of McCarty springs as backup water source during drought periods, and specific water conservation measures. At that time water was available to the Inn from Post Creek, Redwood Springs and an on-site well.

Using data from the Subregional Analysis, the study reported drought demand within the watershed at 35,400 gpd, unused flow at 17,424, and total drought supply at 52,824 gpd. From this it was extrapolated that in a normal rainfall year the water supply would be 136,200 gpd (53,000 x 2.57). Full buildout including Coastlands would demand 100,000 gpd. Hence, 36,200 gpd or 25 gpm would remain as streamflow.

Additionally, drought period flow from McCarty Springs was measured at 17,280 gpd (12 gpm); when developed, half that flow would be returned to Post Creek. Thus the Post Creek drought flow of 17,424 gpd plus 1/2 McCarty Springs would make 26,064 gpd (18.1 gpm) available during a drought. (NOTE: These calculations seem to assume that McCarty Springs did not contribute to Post Creek flow.) The Ventana demand (24 units, 20 staff units, 101 campsites, restaurant) was measured on August 1977 at 13,116 gpd (9.1 gpm). Since Ventana buildout (60 units) was projected at 21,000 gpd (14.6 gpm), it was concluded that sufficient water was available for buildout of the inn. (NOTE: Ventana's measured use was only 13,116 gpd (9.1 gpm). Subregional Analysis data estimated it at approximately 30,000 gpd (20.8 gpm) and this is reflected in the watershed demand figures used by Mahoney. For accuracy all of the above affected calculations would require revision.)

The Plan did not adequately address the cumulative impacts of buildout on seasonal flows or the reservation of in-stream flows to protect riparian habitat. Subsequent review of water use under Ventana's reapplication for the additional 20 units determined that McCarty Springs contributes significant quantities of water to Post Creek providing important protection of the steelhead fishery. The Department of Fish and Game (see Exhibit 6, attached) stated that 50% of normal year flows of McCarty Springs [22,000 gpd (15 gpm)] is required to protect the steelhead habitat. Permit conditions for the Ventana 16 units specified that water to be taken from Post Creek and McCarty Springs must be limited so that in no way does it harm natural resources. Accordingly no water should be withdrawn from McCarty Springs during drought periods since its drought period flow is 17,280 gpd. The re-application was denied, since it was not shown that adequate water for habitat protection and other development including priority uses within the watershed would remain.

Applicant's Current Water Management Plan

The applicant has provided a "Post Creek Watershed Study" (March 1982) and two additional clarifying follow-up letters (July 30, 1982 & August 23, 1982) which evaluate water supply and demand. They conclude that future water withdrawals will not affect the natural environment, except that under severe drought conditions water conservation and conjunctive water use programs should be undertaken to protect the fish habitat in the lower 1/3 of Post Creek. The applicant's water management plan is submitted as compliance with LUP policy condition 3.4.3.2 which requires that a water management plan evaluate stream resources and must establish a level of water withdrawal consistent with protecting and enhancing stream resources. The plan must bind both existing and potential users and be approved by the Department of Fish & Game. The applicant's current plan has two major components: an analysis of the water supply and demand for the overall watershed; and an analysis of Ventana's own water supply and use and its relationship to stream flow.

(a) Overall Watershed analysis: See Exhibit 7

The following represents the applicant's estimated yields from sources, developed and undeveloped.

<u>(Summer Months)</u>	<u>Normal Year GPD</u>	<u>Drought Year GPD</u>
12 Springs and	125,000	50,000
Post Creek	375,000	120,000
Total Surface Supplies	500,000	170,000
Ground Water (5 wks)	145,000	97,999
TOTAL	645,000	267,000

Historic flow measurements not being available, surface source data is largely estimated. For comparative purposes, the Big Sur watershed hydrograph (see Exhibit 8) shows that approximately 11% of discharge occurs in the summer months, June through September. Assuming a direct relationship, the Post Creek watershed (1.5 sq. mi.) in an average rain fall year in summer would discharge 399,841 gpd or 277.6 gpm (42% runoff ratio), and in a drought year (15.48" of rain) 174,375 gpd or 121 gpm. Using the watershed area determined by the subregional analysis (1.36 sq. mi.), the figures fall to 360,309 gpd (250 gpm) average summer day and 158,326 gpd or 110 gpm during a drought year. Drought year estimates then range from 158,326 gpd to 174,375 gpd (110 - 121 gpm).

The extent of groundwater stored in the watershed is essentially unknown, however, Geoconsultants Inc. in their Hydrogeological Review of the "Existing Well, Ventana Inn, Big Sur" (Sept 20, 1982) had the opinion that most spring resources which feed Post Creek originate in Sur series rocks and that the well log for Ventana's well indicates that water is probably obtained mostly from Franciscan rocks. "Because Franciscan rocks do not appear to contribute as much as Sur series rocks to stream flow in Post Creek, use of the well should not affect Post Creek." (Exhibit 9 attached.)

"Because no hydrologic data relating to Mule Canyon Creek is available to us at present, we cannot say with certainty that pumping the well will not affect this watershed. However, based on topography and known geology, the most likely area to be affected probably would be the north-south canyon south-west and directly across Highway 1 from the well. If any springs exist in this canyon and lie at similar or greater elevations to the water level in the well (approximately 850 feet above sea level), they may influence or be influenced by the well.

"Based on the available data and the discussion presented above, we conclude that pumping the Ventana Inn well should not affect the Post Creek watershed, because the aquifer supplying the well with water does not supply Post Creek with most of the Creek's flow. Also, we conclude that while sufficient data is not available now to determine the relationship between the well and the Mule Canyon Creek watershed, if any hydrogeologic connection did exist, it should be evident in a small, specified area."

Mule Creek and Graves Creek together form a small watershed that empties into the sea south, immediately below the Coastlands subdivision. The north-south canyon referenced in the hydrologic review is the ravine which splits the Coastlands Subdivision. The ravine joins a south west canyon with a perennial (unnamed) stream that joins Mule Creek-Graves Creek system. Graves Canyon has been designated a watershed restoration area in the LUP. However, Mule Creek and its water sources reach Graves Canyon close to the sea and below water resource problems. The Mule Creek water system was licensed in 1957 for the "amount actually beneficially used" which was determined to be 7000 gallons per day. The Report of Inspection by the Division of Water Resources engineer notes that the "use after the middle of July is probably greater than the water available from Mule Creek." There have been reports by residents that Mule Creek has been water short. Other residents attribute this to facility problems.

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Water Budget:

On the following page is the applicant's Post Creek Water Budget Urban Demand Chart. As noted above, actual measurements for most figures are not available. Comments by residents on current demand figures include that Coastland's current summer demand is likely higher, and reported water supplies via Ventana to Burleigh, Leavy, and Gelbart properties differ from previous metered readings (over 800 gpd was used by just one of these parcels during the drought). By deed Ventana is required to supply up to 2500 gpd to Leavy and enough water to supply two residential structures on Burleigh's parcel. Gelbart's parcel is undeveloped, (Deed agreement unknow). Lacking metering and in accord with previous analysis of 200 gpm per household, the applicant's current demand figures are not unreasonable estimates. However, in accord with user comments, demand has been revised upward to provide more conservative and, hence, resource protective data.

POST CREEK WATER BUDGET
URBAN LAND

3-82-171

Exhibit 3: Ventana Inn OTDs
VENTANA INN, INC.

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PROPERTY	ACREAGE	SUPPLY		DEMAND		COMMENTS
		CPD-SUMMER AVERAGE	DROUGHT	CPD-SUMMER CURRENT	IUP	
VENTANA	243	230,000	72,000	25,000	32,000	Actual Average & Drought year near- urements. Includes existing sup- plies from upper 1/3 Post Creek, Kelm, 1/2 McCarty Springs & Well. IUP 20 additional Inn units.
State Park	41	-0-	-0-	-0-	-0-	Vegetation and wild life only.
LANGUM	193	6,200	3,000	-0-	2,000	1 spring. IUP 4 residences.
BALLARD	12	500	500	-0-	500	Groundwater. IUP 1 residence.
KELM	120	7,200 (6,200)	3,000 (2,000)	-0-	1,000	2 springs. Excess over 1000 to Ventana. IUP 2 residences.
POST	172	50,000	21,000	2,000	20,000	Well and springs. IUP 60 unit Inn and existing homes(2).
RAMISTELLA	12	-0-	-0-	-0-	-0-	Water supplied from outside watershed. IUP 1 residence.
FLOY	8	1,400	700	500	500	Well. IUP 1 residence.
CIAPPELLET	69	7,000	3,000	500	1,000	Well. IUP 1 residence.
YAEGER	55	45,000	20,000	1,000	16,000	Well and spring. IUP commercial, 2 residences and 40 unit Inn.
STATE HWY.	13	-0-	-0-	-0-	-0-	No water demand.
BURLIEGH, LEWY BELBERT	30	1,500	1,000	1,000 750	2,000 1,500	Post Creek surface supplies via Ventana. IUP 3 residences.
REDICK	1	500	500	500	500	Groundwater.
SUBTOTAL	969	349,300	124,700	30,250	65,000	
COASTLANDS	-0-	30,000	11,500	7,500 10,000	9,000 11,500	Post Creek surface. IUP 3-4 additional residences.
TOTALS	969	379,300	136,200	37,750 40,500	84,000 87,000	

Revisions *cc*
cc *staff*

Staff Comments:

The applicant's LUP buildout water demand projections are based on an analysis of LUP designations and slope density. Staff analysis of topography, access, septic system capacity, etc confirms that the overall projections are reasonable estimates with the few staff revisions. The current designated land use areas were delineated by Monterey County in compliance with LUP conditions to provide legible scale maps. The Big Sur Land Use Plan has not been accepted by Monterey County as modified by the Commission and proposed revisions to the plan may affect land use designations. However, it is not likely that a more intense development of the Post Creek area will be found appropriate due to known resource constraints.

While the applicants urban demand water budget is not numerically refined because of limited data it does broadly show that potential additional residential water use dependent on Post Creek watershed is a modest +21 units (21 X 500 gpd = 10,500 gpd = 7 gpm); that properties that may support commercial uses have existing groundwater supplies, as well as springs; and that existing water supplies can adequately provide for buildout water needs in an average rainfall summer. The relationship of water available for buildout in dry years is not clear enough to conclude adequate surface flows remain for natural resources.

Water Supply Problems and Mitigation:

The applicant acknowledges potential drought year supply problems and recommends "that Monterey County and the Coastal Commission should require all applicants for development permits to adopt water conservation programs, including: 1) Installing of low-flush toilets, shower restrictors and restrictions on non-native landscaping; 2) Require use of grey water systems for landscape irrigation when acceptable by the Monterey County Health Department; 3) Public education regarding water use; 4) Special conditions regarding operations during a severe drought, including Ventana Inn's proposal to install a pump system in the lower reaches of Post Creek which will deliver water from the Big Sur River to the steelhead spawning grounds; and 5) All applicants for new developments should be required to implement a conjunctive water use program during drought years. During normal rainfall years there appears to be no need to impose water use restrictions other than normal water conservation practices, plus monitoring of water consumption. During drought years strict water conservation programs, conjunctive use programs, habitat protection proposals and as a last resort, closing of visitor serving facilities should be required of property owners."

(b) Ventana Inn Water Supply, Demand, & Management Analysis

The applicant's second water management component addresses specifically Ventana's role in water use and management. The keypoint of the Ventana Inn management plan are:

(a) total water consumption for the expanded inn (see Exhibit 10, attached) would be 32,000 gpd (22.2 gpm);

(b) on-site water sources are sufficient to supply the Inn's needs with adequate water remaining for the natural system except in severe dry conditions;

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(c) strict conservation measures including a reduction in water consumption and use of ground water could assure the minimumum stream flow of 60 gpm established by the Department of Fish and Game as needed to protect fishery resources during most dry periods.

Though it would be most useful to assess the seasonal variations and in particular focus on low stream flow months (June through September), only a limited number of measurements are available. The applicant (as does the EIR) uses the water system supply capacity of November 1975 as a historic "normal" period and of May 1977 as a "drought" year supply. These months are also for comparative purposes included on Water Supply Chart, Exhibit 13. During these two months adequate water for Ventana use (at 22.2 gpm) was collected (though there was insufficient flow for fishery resources in May 1977 if the most conservative analysis is used.) The applicant's analysis of projected current normal and drought year supply included additional supplies from the redrilled well, improved water inlets and an assumed flow in the upper stream.

Ventana Inn Water Supply
(See Exhibit 12, letter, Sept. 9, 1982)

<u>Source</u>	<u>Normal Rainfall (11/75)</u>	<u>Drought Year (5/77)</u>
Coastlands Overflow	21.00	0 - 2.46
Restaurant Well	25.00	12.50
Campground Spring	10.00 - 20.00	5.86 - 11.72
Post Creek Inlets	45.00	12.60
Post Creek Upper Main Stream	135.00	12.60
Redwood Spring	17.00 - 34.00	3.16 - 6.32
McCarty Spring	18.50 - 37.00	7.96 - 15.90
Available to Ventana	271.50 - 317.00	54.67 - 74.10
McCarty Springs Recharge	18.50 - 37.00	7.95 - 15.00
Total Supply	290.00 - 354.00	62.62 - 90.00
Ventana Demand	(22.20)	(22.20)
Available to Post Creek	267.80 - 331.80	40.42 - 67.80

- 1) Well redrilled and pump tested.
- 2) High estimates based on reconstructing spring inlets.
- 3) Assumes Post Creek inlets can capture 1/4 of stream flow.
- 4) Assumes Post Creek inlets can capture 1/2 of stream flow during drought.

Staff Comments:

The applicant's LUP buildout water demand projections are based on an analysis of LUP designations and slope density. Staff analysis of topography, access, septic system capacity, etc confirms that the overall projections are reasonable estimates with the few staff revisions. The current designated land use areas were delineated by Monterey County in compliance with LUP conditions to provide legible scale maps. The Big Sur Land Use Plan has not been accepted by Monterey County as modified by the Commission and proposed revisions to the plan may affect land use designations. However, it is not likely that a more intense development of the Post Creek area will be found appropriate due to known resource constraints.

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Though it would be most useful to assess the seasonal variations and in particular focus on low stream flow months (June through September), only a limited number of measurements are available. The applicant (as does the EIR) uses the water system supply capacity of November 1975 as a historic "normal" period and of May 1977 as a "drought" year supply. These months are also for comparative purposes included on Water Supply Chart, Exhibit 13. During these two months adequate water for Ventana use (at 22.2 gpm) was collected (though there was insufficient flow for fishery resources in May 1977 if the most conservative analysis is used.) The applicant's analysis of projected current normal and drought year supply included additional supplies from the redrilled well, improved water inlets and an assumed flow in the upper stream.

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Staff Comments on Supply Chart

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- (1) Improvements to Ventana's spring and creek diversion system will increase the system collection capacity. However, unless the springs are hydrologically independent of the creek system, there would be a related decrease in creek flow (or diversion from the natural course of water movement).
- (2) Coastlands overflow should not be included for drought supply since there was often no overflow during the drought; in any case Coastlands overflow now contributes directly to Post Creek and is not directly picked up by Ventana.
- (3) McCarty Springs cannot be used as a supply during the drought. (Nevertheless, the flow remains as available for Post Creek).
- (4) Assumptions of uncaptured stream flow cannot be verified due to lack of in field measurements.
- (5) The redrilled well (260 ft) produces 25 gpm. An investigation by Geological Consulting, September 1982, quoted previously, reported that the well would not draw much from the Post Creek watershed sources and its use will not affect Post Creek flows. This well failed at shallower depths, the capacity to sustain a 25 gpm supply over a long period is unknown. The applicant assumes during dry periods a potential long-term supply of 12 gpm. This supply could be more or less.

Previous Supply Measurements: Over the years Ventana has taken a series of measurements of the quantity of water they divert from Post Creek and its tributary system. These do not measure use since the unused water supply overflows back into the creek system. Nor do they measure stream flow since even under drought conditions some percentage of flow probably bypasses the system. The measurements indicate the delivery capabilities of the water supply facilities under various hydrology conditions and hence the quantity of water to which the applicant has access. However, because Ventana is the only major surface source user excepting Coastlands, and is downstream of all other users, the supply measurements, in conjunction with lower creek drought flow measurements yield some factual information.

In August 1977 Ventana collection facilities gathered 19.22 gpm (less than the 22.2 needed for buildout). Improvement of McCarty Springs could supply an additional >12 gallons. However, as the second summer of a severe two year dry period, flow in the lower creek can be assumed to be no greater than the 12.1 gpm measured in September 1976, the first dry season. Therefore any increase in Ventana consumption (McCarty Springs) would further deplete the already limited surface flow. And, in fact, if all water used from the watershed during these dry periods (variously estimated between 17 and 29 gpm) could be directly returned to Post Creek as surface flow, the flow (29-41 gpm) would still be less than the 60 gpm needed (according to the DFG) to support the steelhead trout. That is, with or without human consumption, there was inadequate flow for fisheries resource. Hence, during extreme dry periods existing or intensified water use would need to be offset by alternative supplies in order to protect natural resources. (See Exhibit 13)

Analysis

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1. Water Resources: Water resources information used by the applicant and the staff, provided in background reports i.e., the Big Sur Subregional Analysis, Black and Veatch draft plan and policies, etc., is preliminary data not intended for application to specific development projects. Theoretical extrapolations are not refined enough to support conclusions where a minimal difference in quantities of water could affect a resource. According to the LUP a water management plan should evaluate the resources of the stream and establish a level of water withdrawal consistent with protecting and enhancing the stream's natural resources; it should bind existing and potential users, and be found adequate by the DFG. The DFG itself has reviewed fishery resources for Post Creek and established a minimum dry month flow (60 gpm). However, a safe level of water withdrawal cannot be established because the total amount of water available remains unknown. Hence, while the applicant's watershed analysis provides a broad sense of potential development and water demand and supply, the data is not firm enough to justify the assumption that buildout of the watershed will not affect resources. And, in fact, data indicates that alternative supplies, i.e. via storage facilities or groundwater that will not affect surface flows, are necessary.

2. Ventana as an Individual Water User: In its previous applications to the Commission, Ventana reported its use (August 1977) as 13,113 gpd (9 gpm). Its additional needs would be based on 113 gpd per unit and approximately 80 gpd per staff unit. Hence in approving 16 additional units and 2 staff houses, an additional use of 1968 gpd for a total demand of 15,081 gpd (10.5 gpm) would be expected. However, Ventana's current use is 25,000 gpd (17.4 gpm). Its buildout use is projected at 32,000 gpd (22.2 gpm). This is an intensification of 11.7 gpm over its "expected use" and 4.8 gpm over its actual use. Staff also recommends public recreational facilities be developed in conjunction with the application which would increase use by 2112 gpd and Ventana is obligated to supply +2000 gpd to residential parcels. Ventana's projected water need is then 36,440 gpd or 25.3 gpm. Ventana has installed water saving devices on most fixtures. The applicant also reports (see Exhibit 12) that in future drought conditions 5,000 gpd can be saved by eliminating external watering alone and that additional conservation measures can and will be taken to guarantee that 60 gpm surface flow will always be available for natural resources.

Ventana now has a new water source in its redrilled well. According to Engineering Geologists Debra Moser and Jeremy C. Wire of Geoconsultants, Inc., use of this well will not affect Post Creek Watershed. Hence, this well could be used during dry periods at 12 gpm in conjunction with the approximate 10 gpm from surface sources ("existing" drought use) and with the suspension of external watering at 3.8 gpm could provide for buildout without intensifying use of Post Creek watershed water, i.e. no increased damage to resources. However, the approach in itself remains hypothetical. Though analysis of well water source may be well founded, it is not conclusive. Only with the commitment of the applicant to provide for the permanent protection of resources can the development be found consistent with Section 30231 of the Coastal Act which requires protection of the biological productivity and quality of coastal waters by among other means "preventing depletion of ground water supplies and substantial interference with water flow". Hence, this form of management must include a conservation and enhancement program to mitigate existing impacts as well as provide for mitigation of any additional impacts.

Future Water Management

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Based on the Big Sur River Hydrograph minimum stream flows for Post Creek are expected to occur in dry summer months and be lowest in September. A series of stream flow measurements over a period of years would be optimum to accurately describe the relation of rainfall and water use to stream flow. In the case of Post Creek, measurements at the head of the fisheries resources below all surface diversions would be critical to evaluating and preventing impacts to natural resources. (Ideally, no upstream diversions should be taking place at the time of measurement.)

Previously only two actual measurements of surface flow near the steelhead spawning area existed. These were during the drought year in September 1976 when 12.1 gpm flowed and in November of 1976 when only 3.6 gpm was measured. To provide a framework for anticipating for long term resource protection needs staff has measured Post Creek flow.

Measurements of stream flow below the log jam were taken in September 1982 by Commission staff. 1981-1982 rainfall was 62 inches, 22 inches above the average. Streamflow was measured at 207 gpm (15% added to account for leakage around measuring point). With the two September measurements an assumed water supply ratio was plotted, historical September runoff percentages charted, and using the 60 gpm as a minimum flow requirement by DFG, a perspective on relative availability of water can be gained and a data collection and management plan for Ventana Inn can be outlined which incorporates the proposed mitigation measures submitted by the applicant. (See Exhibits 14, 15, 16, attached).

Theoretical September Low Flows
Distribution Chart GPM

I	II	III	IV	V	VI	VII	VIII
% of Occurrence	Runoff Supply	Fishery Demand Lower 1/3 Post Crk.	Balance (II-III)	Human* Demand	Balance (IV-V)	Supplemental Well Water To Be Used During Low Flows	Surplus or Deficit (VI-(-)VII)
1%	±225	60	165	35.5	129.5	-	195.5
9%	207	60	147	35.5	111.5	-	111.5
15%	175	60	116	35.5	80.5	-	80.5
19%	128	60	68	35.5	32.5	-	32.5
31%	96	60	36	35.5	.5	-	.5
21%	60	60		35.5	(35.5)	12	(23.5)**
4%	12	60	(48)	35.5	(83.5)	12	(71.5)**

*Includes Ventana buildout plus Ventana residential commitments - 25.5, current uses 10 gpm. Does not include additional (27.7gpm) estimated watershed buildout.

**Applicant proposes fishery enhancement project to meet 60 gpm min. flow requirement if conservation measures on site cannot meet resource need.

This chart presents a theoretical construct; however, it probably represents a "worst case" picture, and hence, provides for resource protection.

Exhibit 3: Ventana Inn OTDs

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Additionally, neither of the basic measurements (12.1 and 207 gpm) accounted for possible upstream diversions which could add several gallons per minute (that is, demand may be counted twice). And, finally, a common rule of thumb is that 50% of water used is returned to the watershed via leachfields and irrigation. Theoretically, at least, the above chart data is therefore very conservative, and perhaps 10's of gallons below actual flow.

The chart indicates that 75% of the period, water adequate for users and resources was available. During 25% of the period if adequate water is reserved for fishery resources, inadequate water is available for users. To assure that water is available to fishery resources, Ventana must incrementally reduce its surface water consumption to zero if necessary and rely entirely on its well water. (However, it may supply legal water commitments (Leavy, Gelbart, Burleigh) from surface flows.) According to the applicant's analysis it is unlikely that this will be necessary except in severe droughts. In severe drought conditions additional actions may be implemented to protect resources as indicated below.

Special Efforts to Enhance Post Creek Natural Resources

Historic data indicates that Post Creek has inadequate flows to support its steelhead trout in severe drought years. The applicant proposes in his management program (see Exhibit 7) that as a special condition Ventana would install a standby pump system in the lower reaches of Post Creek in Pfeiffer Big Sur State Park which will deliver water from the Big Sur River to the steelhead spawning grounds during severe droughts. The concept has been endorsed by the California Department of Parks & Recreation and by the Department of Fish and Game and is consistent with LUP policies. According to the applicant Ventana would be responsible for the maintenance and operation of the pump and waterline and DFG would advise when additional flow was needed for management of the steelhead fishery. Under Section 3.4.3.3 Rivers and Streams, special efforts shall be made to protect adequate year-round flows in stream supporting steelhead trout. Since the applicant's current use (and that of all watershed users) is significantly contributory to reducing flows to a level that cannot support the fish, the standby pumping system is an appropriate mitigation project. (Exhibit 20)

CONCLUSION

Section 30231 of the Coastal Act protects coastal marine resources and Section 30250(a) requires that new development have adequate public services and not contribute individually or cumulatively to impacts on coastal resources.

The Big Sur Coast Land Use Plan provides that the natural stream community be protected in the driest expected year. "Driest expected year" is not defined but both LUP background reports and Commission staff use drought year 1976-77 (driest in 68 years recorded) as the standard. The corresponding stream flow standard for Post Creek is the September 1976 measurement of 12.1 gpm (although the November, 1976 measurement of 3.6 gpm was the lowest ever measured).

Basically, Ventana uses spring and surface creek flow as the LUP requires (3.4.3.3) and though the existing well is at a relatively higher elevation in the watershed (3.4.3.3), it does not according to hydrogeologic review tap underground stream reserves. In addition Ventana proposes to undertake a special effort to protect adequate year round flows with its water pump system from the Big Sur (3.4.3.3) River.

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VENTANA INN, INC.

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For Big Sur where evidence exists that watersheds are or may be watershort, such as Post Creek, additional LUP policies apply:

a) For Post Creek watershed applicants must submit a water management plan addressing cumulative impacts of buildout on water resources. Inadequate information exists to produce such a plan since both water supply and buildout figures are far from complete. The applicant's plan features many of the components of a plan but lacks data and authority. (Policy Condition 3.4.3.2)

b) Or the applicant must demonstrate the environmental acceptability of the cumulative impacts of water use intensification or enhance water supply for the watershed as a whole. Again, lacking data and authority, the applicant generated information and developed approaches that may function as a framework for such an environmental plan but is not the plan itself. (3.4.3.2 Watershed Restoration)

Alternatively, the applicant has proposed a "project" water management plan that asserts the environmental acceptability of his own specific project based on zero impacts on water resources, by: a) using previous Ventana supply and use data; b) showing that adequate water remains in the creek to protect the natural system most of the time; and, c) incorporating conservation measures that will permit adequate water to remain during drought periods. Since it has been documented that less than the 60 gpm needed to support the steelhead fisheries resource was available during the last drought, were it not for the use of an enhancement program, no amount of conservation in extreme drought periods would protect the resource.

The applicant's proposal represents an intensification of water use in the Post Creek watershed. However, as previously reported by the applicant and accepted by the Commission via its approval of A-445-68, Ventana's "existing" water use should be approximately 15,000 gpd (not including residential obligations). The applicant's hydrogeologic investigation indicates that the improved well (which applicant estimates will permit an additional +17,000 gpd) will not affect stream flow. These quantities of water, 32,000 gpd, will very nearly cover all existing and proposed water needs. Hence, theoretically, no additional impacts in the stream's natural system will take place. However, continued long term well production cannot be guaranteed and it would take considerable time and data collection to be entirely sure that the well does not affect stream flow.

Additionally, the Coastal Act requires more than a minimal assurance of maintenance of existing conditions that are not optimum to begin with. "Marine resources shall be maintained, enhanced, and where feasible, restored" (Section 30230) and "the biological productivity of coastal waters and streams... appropriate to maintain optimum population of marine organisms... shall be maintained and, where feasible, restored..." (Section 30231). The LUP also does not anticipate accepting the status quo in areas where water resources are threatened. Rather it proposes special efforts to protect resources and encourages restoration of resources and, in addition, expects conservation measures to provide for effective enhancement of water resources to meet in-stream flow requirements.

Therefore as conditioned, the applicant's water management plan provides that new development will not have a net adverse impact on water resources and will improve existing conditions by providing: (a) incremental conservation measurements during low flow conditions, reducing the applicant's current and additional dependence on Post Creek surface flows to zero and providing that the applicant be responsible for maintaining a minimum creek flow of 60 gpm; (b) water monitoring features which will provide for implementing the above and will supply a data base for an overall watershed management plan; (c) a stream enhancement program which will supply water via the Big Sur River to the Post Creek fishery resource area during critical low flow periods.

Therefore, as conditioned, the proposed development is consistent with the marine resource and development policies of the Coastal Act of 1976.

HIGHWAY CAPACITY

5. Section 30254 of the Coastal Act states in part:

"...it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road...where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal-dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

Section 30252 includes requirements for the provision of non-automotive circulation within the development and adequate parking or substitute transit.

Existing Situation and Proposal

The major constraint to development in Big Sur is highway capacity. Caltrans traffic data indicates that at times Highway 1 is already congested. For example, the segment where Ventana is located (Big Sur River to Anderson Canyon) is already at Level of Service E - at or near maximum capacity. Most travellers to Ventana will encounter the additional Highway 1 bottlenecks at Rio Road and Hurricane Point. Existing topography limits the extent of possible feasible improvements to the Highway in the Big Sur area.

The proposed new inn and employee units will generate additional Highway 1 traffic. How much traffic will be "new" as opposed to visitor traffic that already would be using the highway is unknown and has been subject to debate. Also, although standard hotel unit trip generation factors are available and some site-specific counts are available, Ventana has consistently contended that its facility has a low traffic generation rate, and that figures to the contrary in the EIR are in error.

Land Use Plan

The Land Use Plan limits overall density in Big Sur in an attempt to stay within available highway capacity. Given that this may be difficult to achieve, especially at peak hours, the LUP also contains a number of policies aimed at reducing trip generation, physically improving Highway One, managing traffic, and phasing development. All 500 inn units may be built before highway capacity is increased.

Exhibit 3: Ventana Inn OTDs

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Analysis

With the setting of maximum densities in the LUP, individual developments can be presumed to be accommodated by Highway 1. It is still necessary under the Coastal Act and the LUP to do everything possible to minimize travel on Highway 1, and within the project site.

Ventana currently maintains or has approval for left turn channelization on Highway One, relocation and consolidation of entrance road, and an internal path and electric vehicle system. Patrons may also use local bus service (SurTreds, Monterey-Salinas Transit). The application also includes new parking areas adequate to serve the new proposed development. Also proposed is a trail between the inn and restaurant to facilitate on-site pedestrian travel. On-site employee housing will eliminate commute trips on Highway 1, although the employees and their families will use the road for other trips.

In conclusion, Ventana incorporates most measures designed to minimize trip generation. Since it is a visitor-serving development, it has priority under Section 30254. Thus, at issue is whether there is adequate highway capacity to accommodate it. The Commission's action on the Big Sur Land Use Plan has found that 500 units could be accommodated. Thus, as long as the 19 units are subtracted from the 500, the project can be considered consistent with Sections 30250a, 30252, and 30254 regarding traffic.

LOWER COST 6. Section 30213 of the Coastal Act provides that lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. Section 30223 requires that upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible. Section 30210 provides that maximum public access be provided for all the public."

Existing Situation & Proposal

Provision of Lower Cost Facilities: This application involves the provision of a new higher cost visitor facility and development of a low-cost facility in the form of a public picnic area with parking.

The high-cost facility is 19 inn units, which will each rent for about \$150 per night. When this project was previously before the commission some concern was expressed about additional high cost units being constructed in Big Sur and the percentage of total units that would be high-cost. Ventana's rates remain the highest in the area. But Ventana previously contended that its rates were "average to below average" when compared to other fine inns and hotels in California and that its inn and campground rates should be averaged together for purposes of analysis.

As an additional mitigation measure, the applicant proposes the development of a small picnic area above Highway 1 off the restaurant access road as a low cost visitor facility. (See Exhibit 17, attached.) With the provision of a public restroom and signing to direct the visitor to the site, the area would provide the traveller a convenient rest area in close proximity to the Ventana convenience store (and small grocery stores in Big Sur Village) as an alternative to restaurant dining.

The application also includes the conversion of 15 campsites (\$7/night) to tent cabins (\$20-25/night), and proposes establishment of a convenience store. (This partially replaces the store/deli/gas station that the Commission recently permitted to be demolished.)

Loss of Lower Cost Facilities: This application also involves a possible reduction in lower-cost visitor and recreational facilities. Ventana's 1978 Commission presentation reported that it maintained 100 campsites. Although seven of these were used by employees, Ventana indicated that in peak periods the employees would be moved elsewhere. Ventana also stated to the Commission at that time that eleven other staff members were living in the campground area, but not on official sites (a situation which violated maximum County-approved density).

The 1978 County use permit requires "that not less than 50 no more than 101 campground sites be maintained in good order and at comparable prices to other campgrounds in the area." This application includes the conversion of some campsites ("lower-cost visitor facilities") to employee housing. However, Ventana views it as a legitimization and upgrading of an existing situation (ie; no change in use). Ventana indicates that currently 21 out of the 101 campsites permanently house employees. Since this project utilizes only 8 campsites for the proposed houses, 93 campsites for public use will result. [Ventana has expressed in correspondence a willingness to provide 8 replacement sites if necessary].

As the above water finding #4 indicates, Ventana will be practicing water conservation measures. One possible measure is to close facilities, which could affect the available lower-cost recreation opportunities.

Land Use Plan

The LUP as submitted and as modified provides:

- 5.4.3.6-8. Projects for new or extensively expanded recreation and visitor-serving facilities shall provide low-cost recreational facilities as part of the development. The establishment of low-cost hostels in Big Sur is encouraged as part of a comprehensive hostel system for the California Coast.

Additionally a LUP modification requires that any visitor-serving project over 5 units will be required to enhance and/or provide public coastal recreational opportunities. The trails map shows a route in the vicinity of Ventana parallel to Highway I and leading toward Los Padres National Forest (Ventana Wilderness). The LUP, as conditioned, is limited to 500 new visitor-serving lodge or inn units; no percentage or amount of low-cost facilities relative to high cost facilities is specified.

The LUP has no specific policies addressing loss of lower-cost visitor facilities.

Analysis

Several Coastal Act issues are involved in this application including loss of campsites, provision of low-cost visitor facilities, trail connection, and conversion to tent sites.

Although up to 13 campsites will be returned to public availability, when the employees move to the new staff housing, the end result of the application is 8 fewer potential lower-cost visitor units. Under the Coastal Act, these existing, legal camp sites should be retained or replaced. Ventana has indicated that its facility only infrequently reaches full occupancy, but overflow crowds at other Big Sur campgrounds suggest there would be demand for all Ventana's sites, if better publicized.

Ventana has also indicated that closing campsites may be a measure used to conserve water. Under the Coastal Act, any such closures should occur on an equitable basis with higher-cost facilities. Also, it is important that conservation measures do not result in other adverse impacts, such as using Highway 1 to go to a laundromat if Ventana closes its laundry. These concerns can be addressed when the Executive Director reviews the conservation plan as conditioned.

The Coastal Act and the Land Use Plan also clearly require provision of lower-cost recreational opportunities as a component of a newer higher cost facility approval (i.e., the 19 inn units). No standard is included in the Land Use Plan as to how much low-cost recreation is appropriate; this determination is left to case-by-case evaluation. It is clearly feasible for Ventana to provide additional facilities; its site location suggests suitability for more camp spaces or a hostel. The latter was once suggested for the historic Post House, which is now proposed for a store and staff housing.

One attractive possibility for more campsites is on a portion of Ventana-owned property adjacent to Pfeiffer-Big Sur State Park. Enough space exists for at least 30 walk-in sites, which would require minimal development and management costs if operated in conjunction with the adjoining, existing state park campground. This project could satisfy the requirements for both the replacement and the new lower-cost facilities. However, since local approval would be required, and there may be other potential projects for Ventana to undertake or participate in, flexibility is desirable; there may be equivalent projects which could meet the requirement to provide replacement and new lower-cost facilities. (See Exhibit 19.)

Coastal Act access policies provide for maximum public access. The Land Use Plan requires appropriate trail connections along Highway 1 and to the Los Padres National Forest. An easement for part of this trail link has previously been required by Monterey County.

The documents should be revised as necessary to ensure that pedestrian access is permanently provided for along the entire length of the Ventana entrance road and Coast Ridge Road through the property. Signs should reflect this opportunity for public pedestrian use (i.e., existing prohibitory signing should be modified); and an off-shoulder trail between the proposed picnic area and the newly paved section of Coast Ridge Road should be provided to avoid vehicular and pedestrian conflicts.

An offer to dedicate a trail easement parallel to Highway 1, connecting the Coast Ridge Road/trail to Pfeiffer-Big Sur State Park (specifically, the U.S. Forest Service's Ventana Wilderness trail head parking lot within the State Park), is also necessary to provide lateral coastal access, as conditioned. (See Exhibit 19). Wherever possible, hiking trails adjacent to public roads should be located on alignments away from and parallel to the road (rather than on the shoulder). Vehicle-pedestrian conflicts are minimized, and the quality of the hiking experience enhanced. In the case of Coast Ridge Road, however, for the most part this policy would appear inapplicable: the route is narrow, unsurfaced, and provides no opportunity for widening without environmental damage. The road is a U.S. Forest Service administrative route over private land, and, except for hikers and equestrian traffic is not open to public use. Only a few privately-owned parcels are served by the road, so motor vehicle traffic will remain infrequent. Accordingly, the Coast Ridge Road itself beyond the Ventana entrance road constitutes a satisfactory trail route and no off-shoulder pedestrian route is required for this segment.

The Coastal Act is somewhat vague on the question of conversion among different "lower cost" facilities, as represented by the proposal for 15 tent cabins on existing campsite spaces. The cabins will rent for about three times the campsites. Compared to Ventana's inn units, they are clearly lower cost. Also, relative to other indoor overnight facilities in Big Sur, they are slightly lower cost than the average. There are no similar facilities in Big Sur to compare them with. They will increase the range of types and prices of accommodations available on the Ventana site. This positive feature must be balance against the possible precedential effects on converting other campsites in Big Sur. The current limited proposal should be considered an experiment, consistent with Section 30213 as maintaining "lower cost" units. Any future proposals will require further evaluation to ensure that the intent of Section 30213 to protect lower cost facilities is not lost.

In summary, as conditioned to require provision of public restroom and signing for picnic area, replacement campsites, publicizing campground, new lower cost facilities, trail easements, and permit amendments for future closures or conversions, the proposed project is consistent with Sections 30213 and 30223 and 30210.

SCENIC RESOURCES

7. Section 30251 of the Coastal Act States:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Section 30253(5) of the Act states in part that new development shall... (5) where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

Existing Situation and Proposal

The proposed Ventana Inn expansion and associated developments are located at the southern end of the Big Sur Valley. This area of Big Sur lies within a "highly scenic are" as indicated by the California Coastline Preservation and Recreation Plan. The building sites, parking areas, and the locations of other proposed improvements addressed by this permit were subject to field investigation by Commission staff. This investigation revealed that the proposed development sites have been carefully located behind existing natural or introduced areas of vegetation, as seen from Highway 1. The field visit therefore confirmed the applicant's assertion that all of the current development proposal will be screened from Highway One and other critical viewpoints.

Land Use Plan

The protection of Big Sur's magnificent visual resources is given the highest priority in Monterey County's Big Sur Coast LUP. The key policy requires that new development be placed out of view of Highway 1, a designated State Scenic Highway. While the listed exceptions are few, the Plan does allow for further development of commercial visitor-serving and community facilities within four existing nodes of such development (termed "Rural Community Centers"). The Plan, as conditioned, also permits visitor-serving development in the viewshed elsewhere if it can be screened from Highway One. Finally, the Plan contains design criteria for development outside of the critical viewshed.

Analysis

While the existing Ventana complex - especially the area adjacent to Highway 1 - directly impacts public views, none of the proposed development lies within the critical viewshed defined by the LUP. Also, because at least a portion of the LUP Rural Community Center land use designation applies to the site, the LUP visual resource policies would allow development to occur where indicated on site plans. Unfortunately, the boundary of the Rural Community Center (RCC) on the County's Land Use Maps is indistinct; when correctly mapped in detail, as required by the suggested modifications attached to the Commission's approval of the LUP, it is expected that, at a minimum, all of the inn units, developed Highway 1 frontage, and restaurant will be included in the RCC.

As required by the Big Sur Coast LUP for sites not in the critical viewshed, the applicant has selected a design approach which subordinates the development to the site's environmental features. This effect will be achieved by continuing the same design philosophy seen in the existing Ventana development: relatively small-scale buildings (two-story maximum), clustering, all-wood exteriors allowed to weather naturally, placement on the contour of the land to minimize grading, and profile generally lower than the surrounding trees. Both natural vegetation and (in the case of the lower parking area) recently-installed landscaping will screen the site from Highway One.

Although the LUP emphasizes the retention of a natural environment, it does allow landscape screening to be used where "a moderate extension of native forested and chaparral areas is possible". It also provides that "other screening must be of similar plant or tree species". To ensure that the project's landscape screening will present the necessary natural appearance, the permit is conditioned to provide for Executive Director review of project landscape plans.

Experience has shown that inappropriate types or placement of night illumination detracts from the area's rural character. Accordingly, the permit is conditioned to preclude any new light sources which may be directly visible from Highway 1.

The LUP only suggests a study of possible visual restoration areas. The Commission has previously granted Ventana a permit to remove its roadside buildings and relocate its entrance road. Ventana has provided a general landscape plan, which when implemented, will result in restoration of a formerly developed area in the critical viewshed.

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The Big Sur Coast Land Use Plan encourages the use of scenic and open space easements as an important tool in protecting the area's outstanding visual resources. As a condition of Ventana's original permit issued by Monterey County, a scenic easement covering certain portions of the Ventana site was recorded in 1972. Now, approval of this coastal permit will allow virtual completion of the project at the scale envisioned in the original County permits.

However, in 1972 the current concepts of Highway 1 viewshed protection had not yet been formulated; as a result, some highly visible forest and grassland areas outside of the development "envelope" appear to be unprotected. Also, the crucial role of the native forest cover in screening the various developments on the site is now fully appreciated. Therefore, because this is an appropriate time to permanently define those portions of the site which will be left in open space; because of the need to insure the protection of the Post Creek riparian corridor and other forest areas which will screen the existing and permitted development; because the Big Sur Coast Land Use Plan demands a high standard of protection for the Highway 1 critical viewshed; and because this project may be considered as precendential for any other major commercial developments on the Big Sur Coast, this permit has been conditioned to require review and possible modification of the existing scenic easement covering the Ventana site.

In conclusion, the Commission finds that the project's siting and design features, together with landscape screening as conditioned, are consistent with the protection of coastal visual resources as provided by Coastal Act Section 30251 and 30253(5).

WASTE DISPOSAL

8. Under Section 30250 of the Coastal Act new development must be located where there are adequate public services and where it will not have significant adverse effects, either individually or cummulatively, on coastal resources.

Coastal Act Section 30231 directs:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, and, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Existing Situation and Proposal

No public sewage treatment facilities are located in the Big Sur area. The applicant's current development is served by an on-site septic tank and leach field sewage disposal system. Currently, several separate septic systems serve the existing development, most improved in conjunction with the construction of the previously approved 16 inn units.

The application proposal includes an addition of trenches to an existing 3000 gallon septic tank and leachfield system, to serve the 17 additional units in the upper meadow area, a sewage effluent trench and two (no toilet effluent) gray water sewage effluent trenches. A new 1500 gallon septic tank and pump system will be located near the proposed staff building and effluent will be pumped to new trenches adjacent to existing staff dormitories. Additonally, it is proposed that the new staff recreation laundry building connect to an existing system.

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Land Use Plan

The Land Use Plan has no specific policies regarding wastewater facilities. Any such facilities would have to comply with the various resource protection policies of the Plan.

Analysis

Monterey County Environmental Health Department has made a preliminary assessment of the new system. However, to date the Commission has received no evidence that the county has reviewed the capacity of the existing system to accept additional effluent from the staff recreation/laundry building. Hence, this use cannot be approved by the Commission at this time. Also, Monterey County septic approval will be necessary for the required new campsites and picnic area restroom, as conditioned.

Additionally, the Regional Water Quality Control Board (RWQCB) has informed staff that the applicant has not filed an application for a Report of Waste Discharge. To insure conformance with RWQCB standard and Coastal Act marine environment policies the Regional Board's approval should be granted prior to issuance of the permit.

Therefore, as conditioned to delete the staff recreational building from this project and to require RWQCB review and approval of the projects waste disposal facilities, the development is consistent with Section 30250 and 30231 of the Coastal Act of 1976.

9. Section 30253 of the Coastal Act reads in part:

New development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.
- (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

Section 30244 of the Coastal Act protects archeologically sensitive areas.

Land Use Plan Policies

The Land Use Plan has several policies addressing hazard protection: including appropriate siting, design, and mitigation. The LUP also requires archaeological resource protection and protection of the rural character of Big Sur.

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Analysis

Big Sur fire station and has ample on-site water storage (in tanks and the pool). The County has required smoke detectors, emergency supplies, fire proof roofing, smoke detectors, and several other fire safety measures for the inn units. The combination of location, water system, access roads, as the County requires would serve to minimize the fire hazard risk. It is necessary that these County requirements be followed and applied to the staff housing as well.

The EIR and a soils report support a development on the parcel, however, lacking is an analysis of the currently proposed building sites.

Local residents have questioned the need for paving a section of Coast Ridge Road citing safety hazard created by increased vehicular speed, runoff erosion potential, and alteration of the rural character of the area. .

The applicant indicates that the repeated grading necessary to maintain the road under its heavy vehicular use has actually resulted in significant lowering of the road increasing the steep upslope bank and threatening to reach the drainage pipes underlying the road. Traffic during the summer months produces dust clouds particularly disturbing to restaurant patio diners. The applicant asserts that the incident of erosion and site alteration will be higher on an unsurfaced road and that appropriate drainage will mitigate runoff impacts. Safety may be increased by signing or speed bumps.

According to the Coastal Act and LUP, retaining the rural character of Big Sur is an important goal. Any extensive and unnecessary paving could significantly alter the character of the area. Because of the heavy use of the entrance road, some form of surfacing appears necessary to minimize the grading. However, alternative and more natural surfaces may adequately reduce the impacts, i.e., decomposed granite, oiling, etc. The applicant should investigate other forms and methods of surfacing.

An archaeological survey has been performed for the site, revealing no sensitive areas where buildings are proposed. Additionally, the applicant is restoring the old Post Homestead, a structure built in 1867 and of historical interest. The applicant has filed a nomination form requesting that the building be included in the National Register of Historic Places. Restoration of the building preserves a component of the unique character of Big Sur.

In conclusion, as proposed and as conditioned for fire standards to apply to employee housing, for a revised soils report and for consideration of alternative road surfacing materials, and safety signaling, the project is consistent with Sections 30244 and 30253 of the Coastal Act. It also complies with similar policy requirements of the Big Sur LUP.

3-82-171

VENTANA INN, INC.

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Page

CEQA/
LCP

10. An EIR was prepared on the 60-unit project in 1977. A supplemental EIR addressed development of McCarty Springs. The Coastal Permit files (see substantial document list, page 1) contain much additional environmentally related information. As conditioned, the project will not result in any significant adverse impact.

Each of the above findings describes the relevant Land Use Plan provisions and analyzes how the proposed project is or can be made consistent with them. In the case of water resources, an alternative but equivalent approach to LUP resource protection policies is employed.

Therefore, approval as conditioned at this time will not prejudice implementation of Monterey County's Big Sur Local Coastal Program consistent with Chapter 3 of the Coastal Act.


EXHIBIT-A

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RECOMMENDED CONDITIONS

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgement. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

EXHIBIT NO. A
APPLICATION NO. 3-82-171
Standard Conditions
 California Coastal Commission

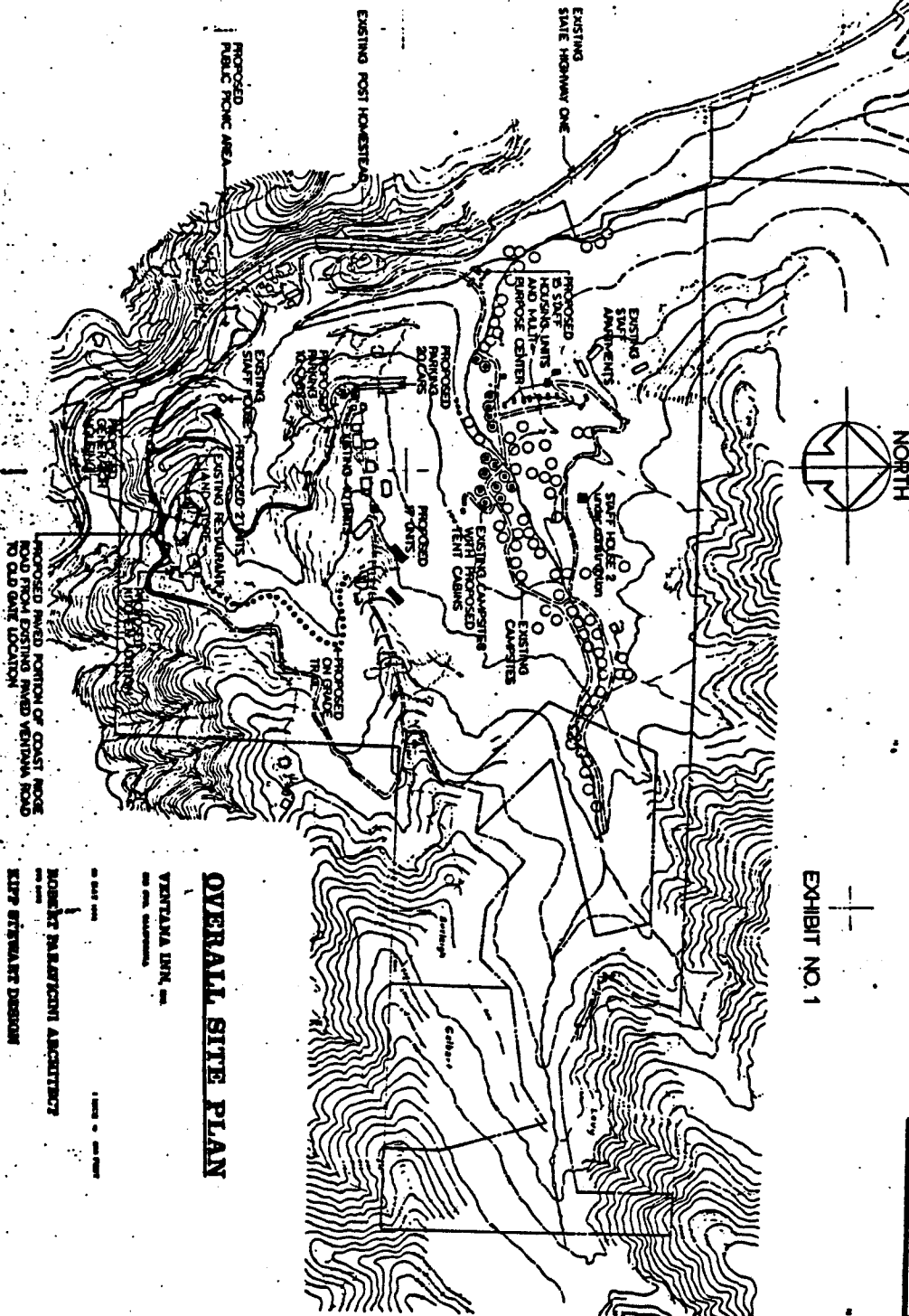


EXHIBIT NO. 1

OVERALL SITE PLAN


VENTANA INN, INC.

1000 S. 10TH AVENUE

1000 S. 10TH AVENUE

ROBERT PALATKIN ARCHITECT

1000 S. 10TH AVENUE

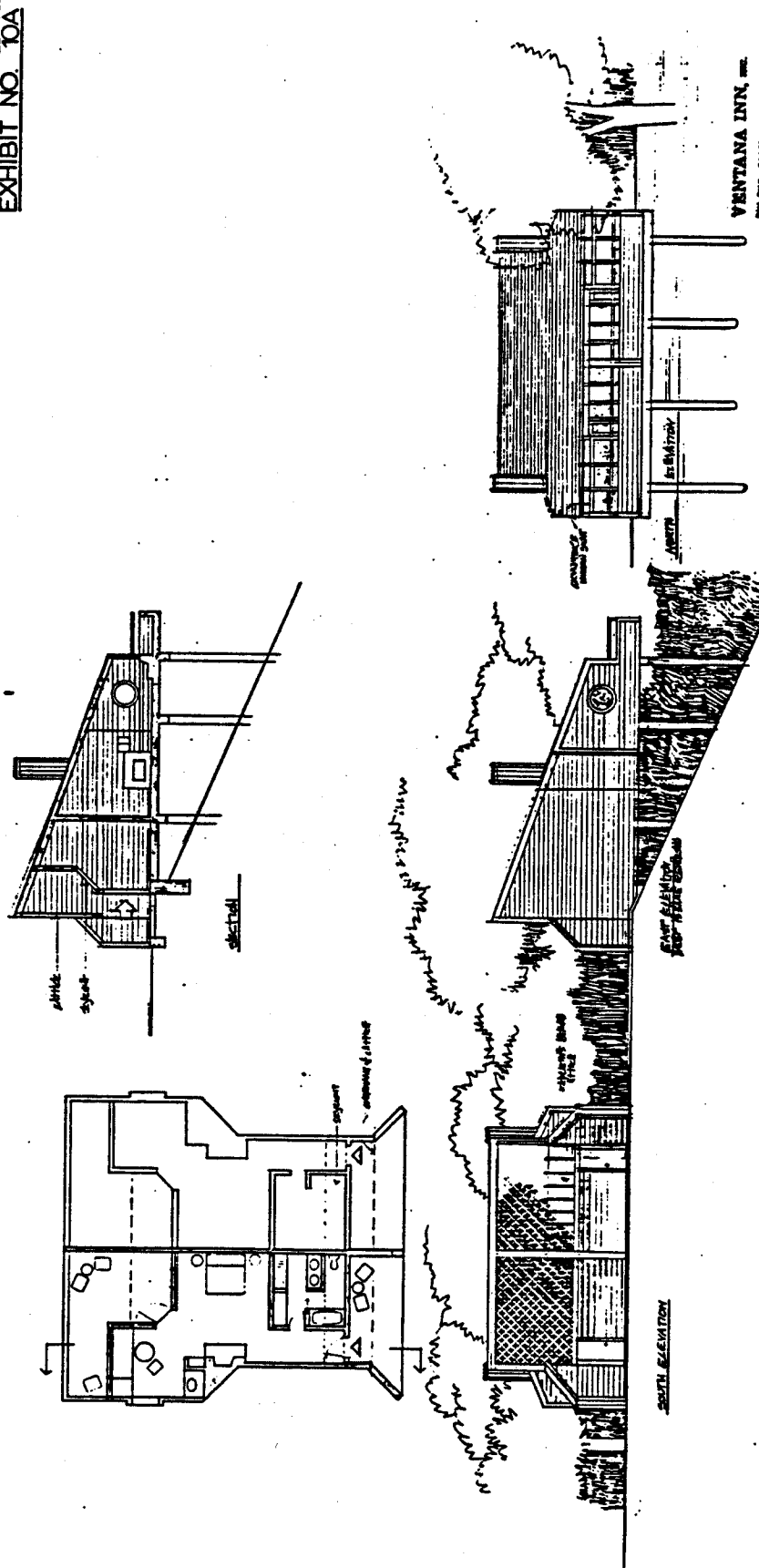
EXHIBIT NO. 1b
APPLICATION NO. 3-82-171
VENTANA SITE PLAN
 California Coastal Commission

California Coastal Commission
INN ELEVATIONS
3-82-171 VENTANA
 APPLICATION NO.
EXHIBIT NO. 2

EXHIBIT NO. 10A

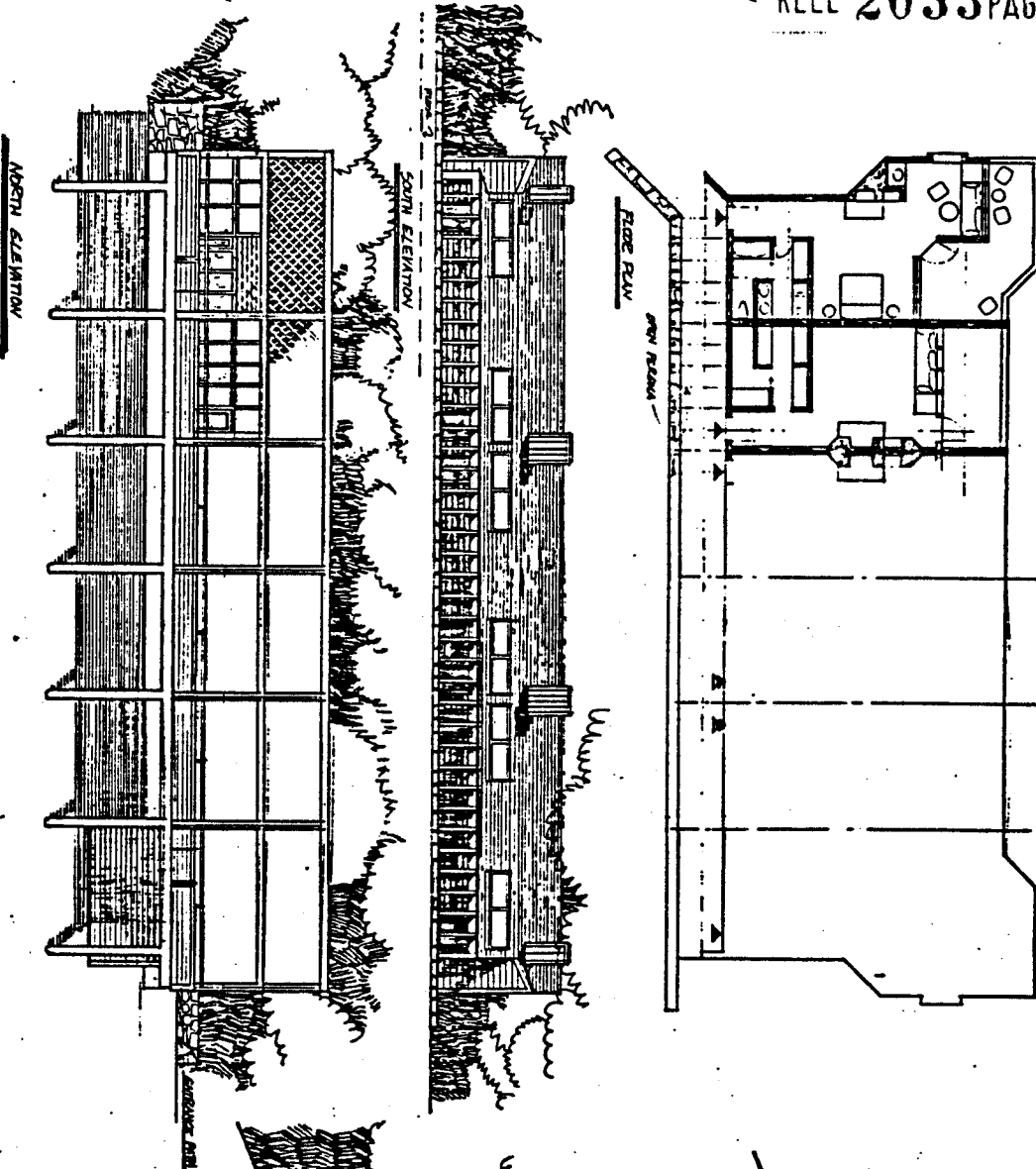
Exhibit 3: Ventana Inn OTDs

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VENTANA INN, INC.
 100 N. CALIFORNIA
 KIPP STEWART DESIGN
 ROBERT PARAVICINI ARCHITECT
 100 N. CALIFORNIA

PLANS AND ELEVATIONS • 2 UNIT BUILDING
 1" = 8'-0"
 25 MAY 82



PLANS AND ELEVATIONS - 6 UNIT BUILDING
1" = 8'-0"

25 MAY 82

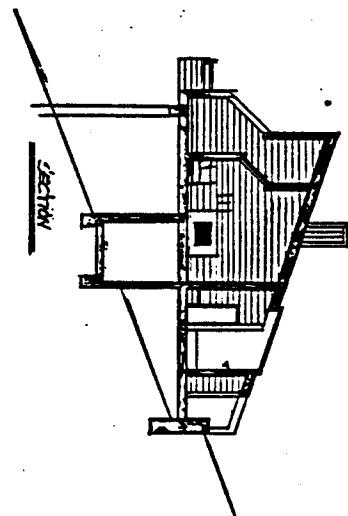
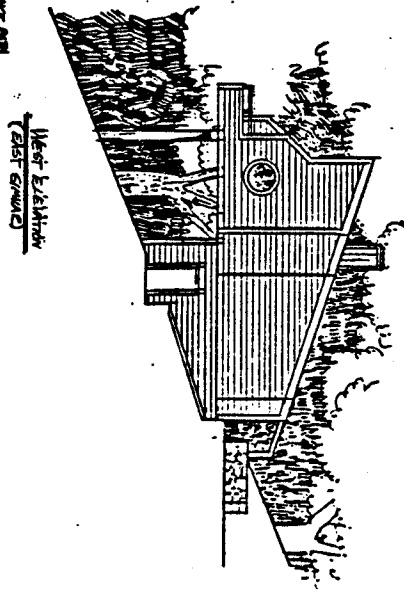


EXHIBIT NO. 10C

KIPP STEWART DESIGN
ROBERT PARAVICINI ARCHITECT
IN SAN

VENTANA INN, INC.
300 W. CALIFORNIA


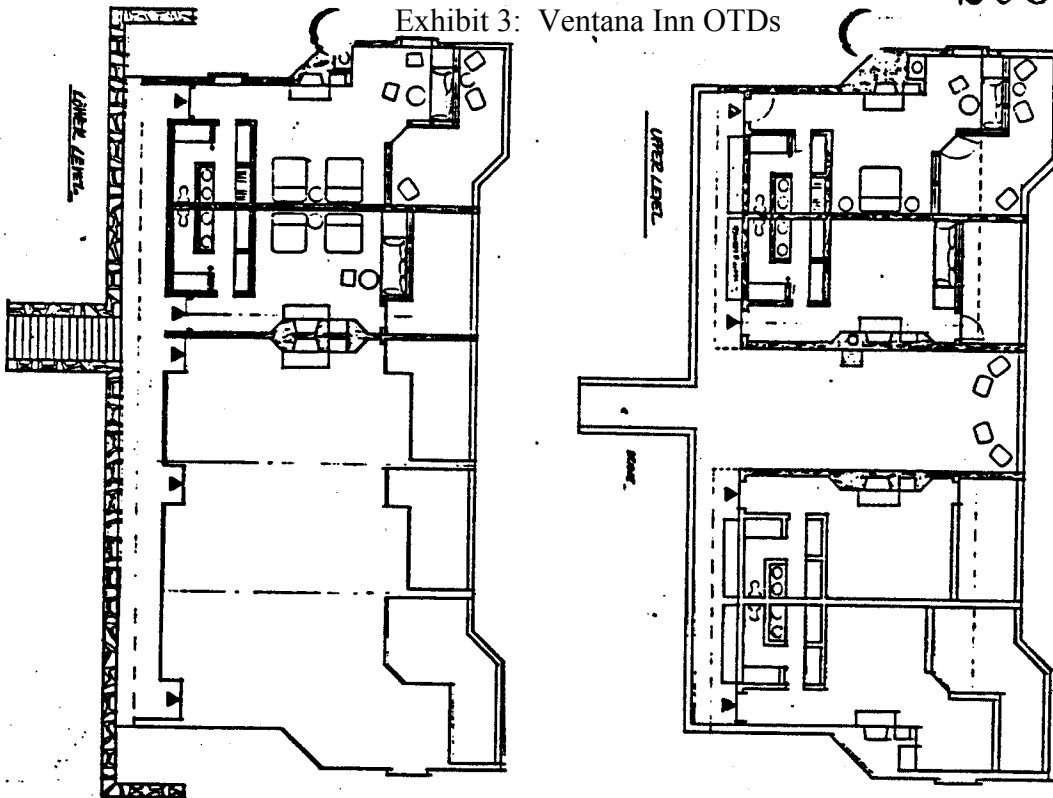
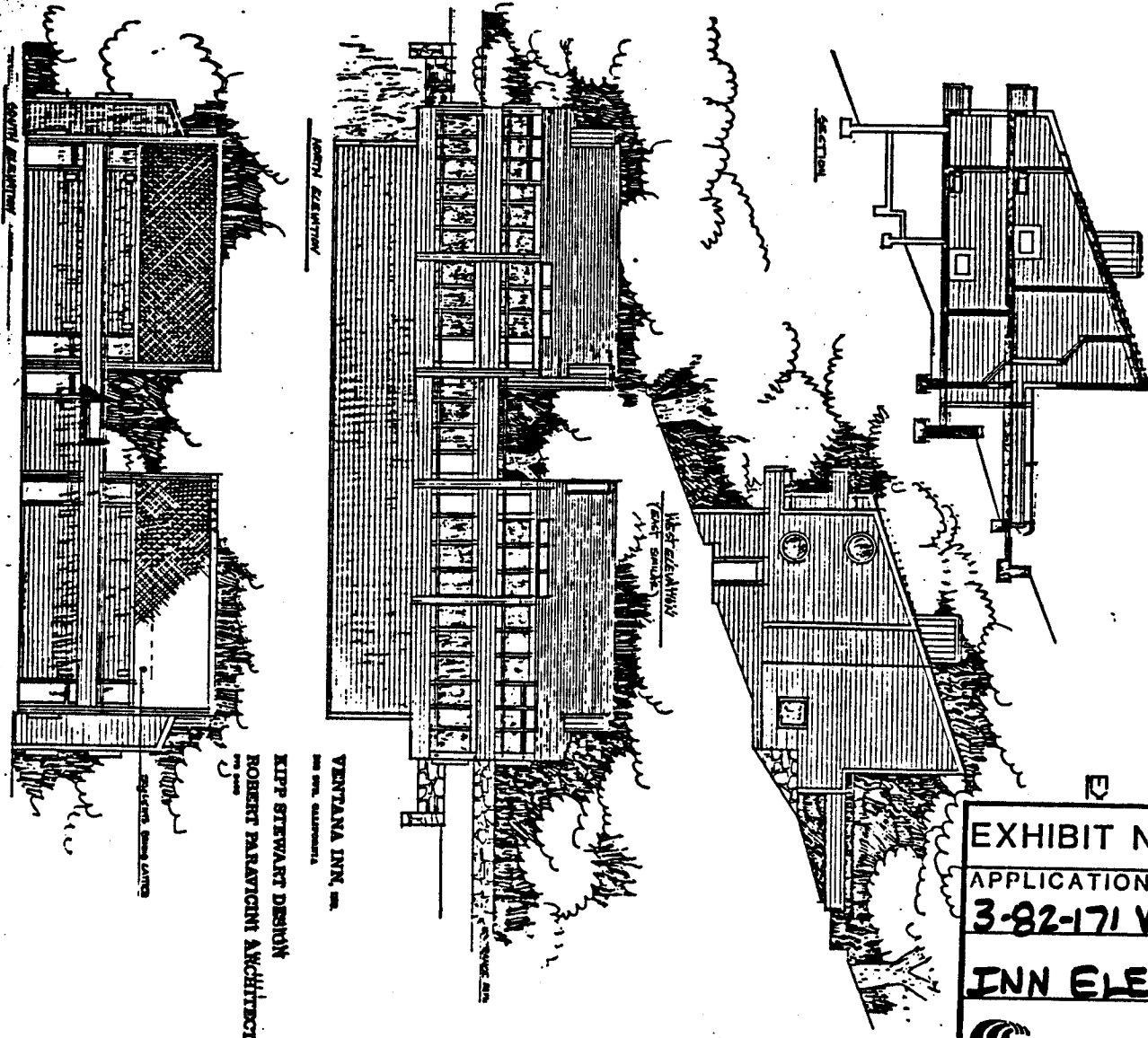
EXHIBIT NO. 2
APPLICATION NO.
3-82-171 VENTANA
INN ELEVATIONS
 California Coastal Commission

Exhibit 3: Ventana Inn OTDs



PLANS AND ELEVATIONS
9 UNIT BUILDING 1'-0" x 1'-0"

20 MAY 88



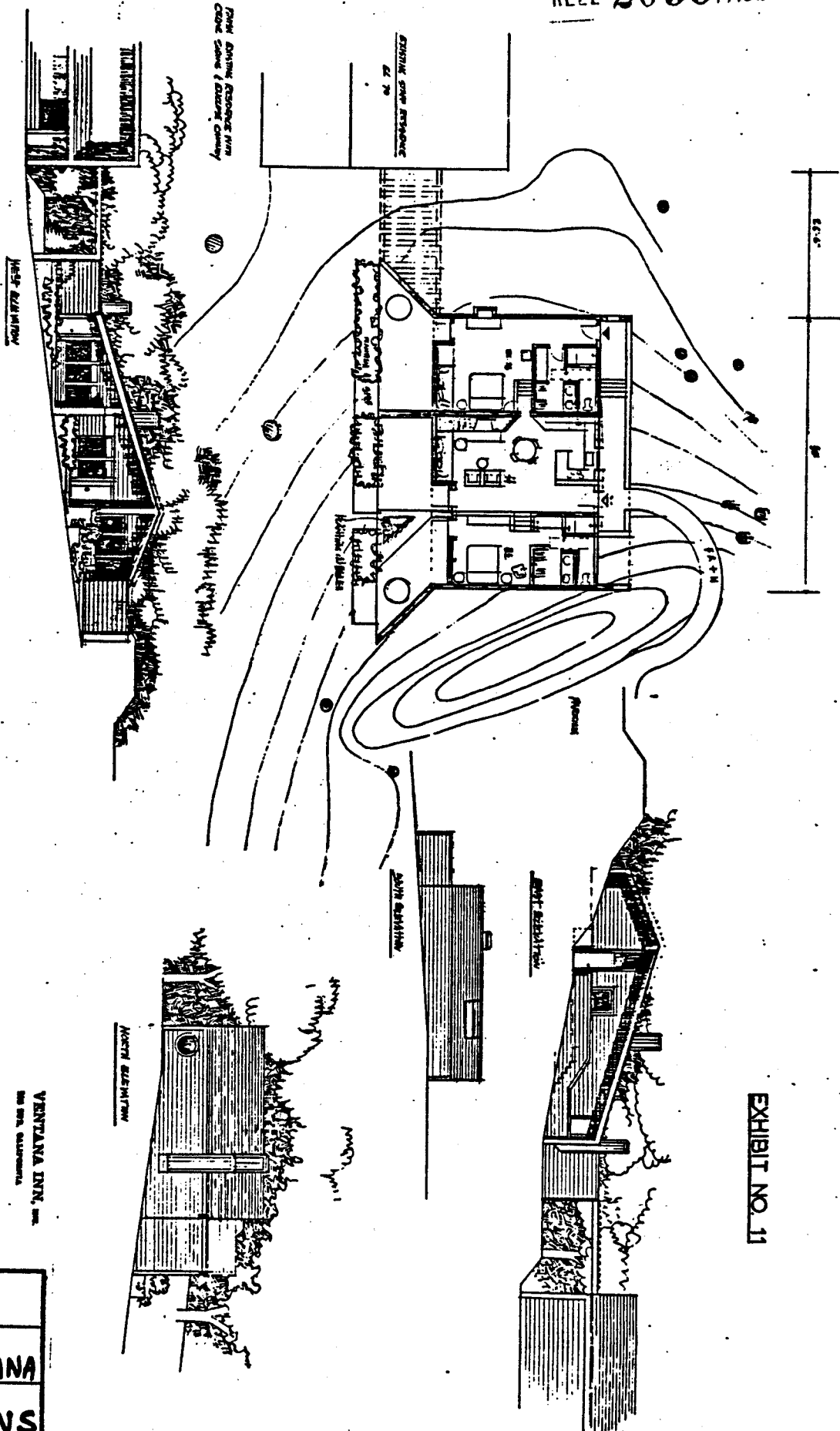
VENTANA INN, INC.
1000 W. CALLE
KIPP STEWART DESIGN
ROBERT PALANCIANI ARCHITECT

EXHIBIT NO. 2
APPLICATION NO.
3-82-171 VENTANA
INN ELEVATIONS

FAMILY UNIT PLAN AND ELEVATIONS 2 UNITS
23 MAY 82

VENTANA INN, INC.
300 N. CALIFORNIA
ROBERT PARAVICINI &
INC.
KIPP STEWART DESIGN

EXHIBIT NO. 2
APPLICATION NO.
3-82-171 VENTANA
INN ELEVATIONS



**Pfeiffer
Big South
State
Park**

POTENTIAL
WALK-IN
CAMP AREA
(GENERAL LOCATION)

**COAST
RIDGE**

EXHIBIT NO. 1

EXHIBIT NO. 19

APPLICATION NO.
3-82-171

VENTANA TRAILS

 CAMP AREA
California Coastal Commission

LEGEND

- ***** SUGGESTED
COASTAL LATERAL
ACCESS TRAIL LOCATION
EXISTING U.S.F.S. COAST
RIDGE ROAD/TRAIL

OVERALL SITE PLAN

VERTANA INC.

ROBERT PALMISTONI ARCHITECT

KURT STEWART DISCUSSION

The map illustrates the Inland Trail Corridor, a route running horizontally across the top of the page. Below the corridor, several land ownership types are identified by symbols:

- Public lands or public rights-of-way:** Represented by a row of seven solid black circles.
- Private lands or limited access:** Represented by a row of seven small squares.
- Future Public Acquisition:** Represented by a row of seven triangles.
- Proposed Trail:** Indicated by a large letter 'P'.
- Access to Ventana Wilderness:** Indicated by an arrow pointing to the right.
- Coastal Zone Bdty.:** Represented by a dashed line.
- State Park Bdty.:** Represented by a dotted line.
- National Forest Bdty.:** Represented by a long-dashed line.

Proposed for planning only. This does not confer the right to trespass on private property.

VENTANA INN
3-82-171 site

Approved by Board of Supervisors 4-7-81:

BIG SUR COAST

LOCAL COASTAL PROGRAM

Figure 3

TRAILS PLAN

[illegible]

**Monterey
County
Planning
Department**

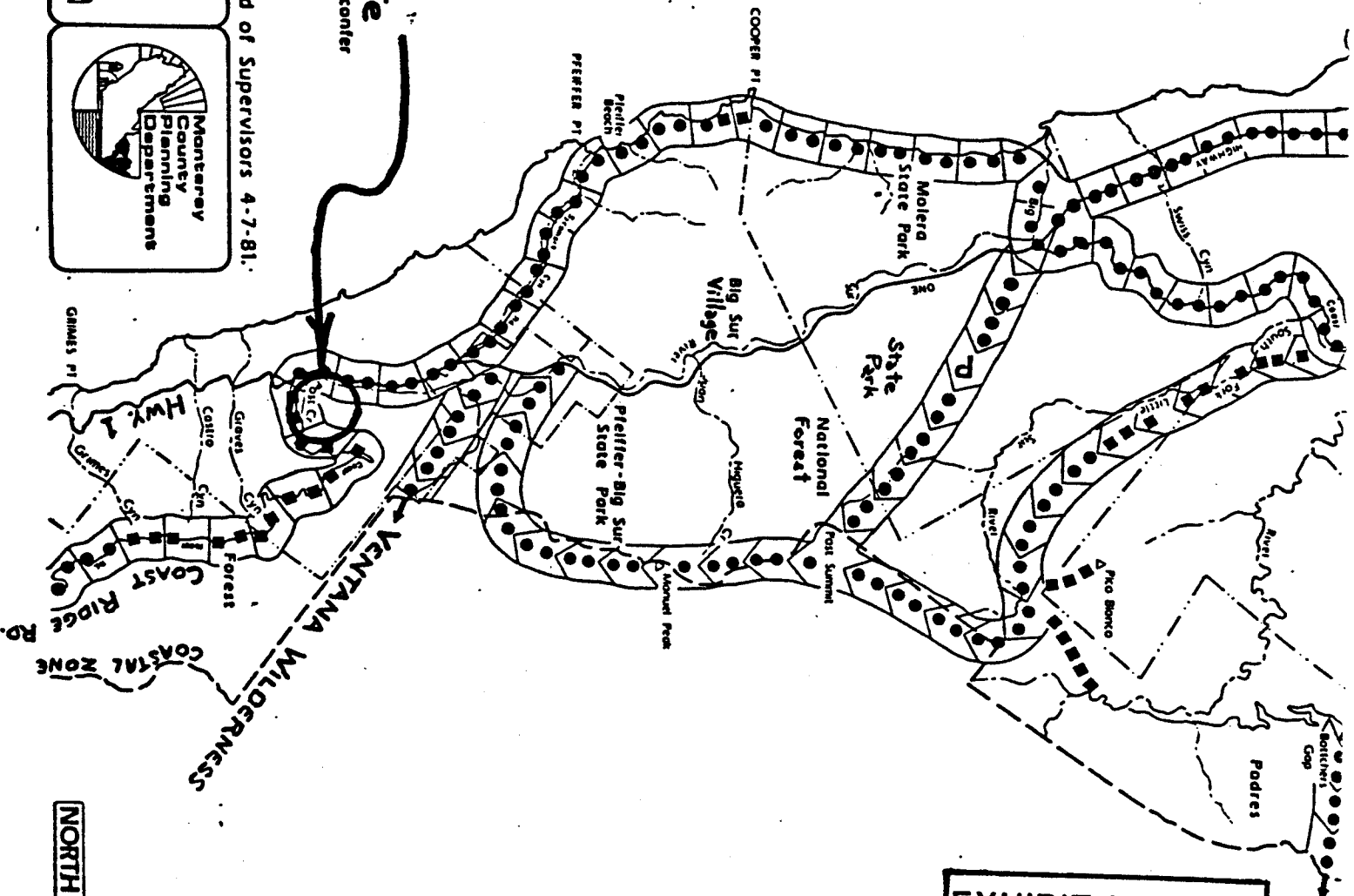


EXHIBIT NO. 18

APPLICATION NO.

3-82-171

VENTANA
LUP TRAILS



California Coastal Commission

NORTH SECTION

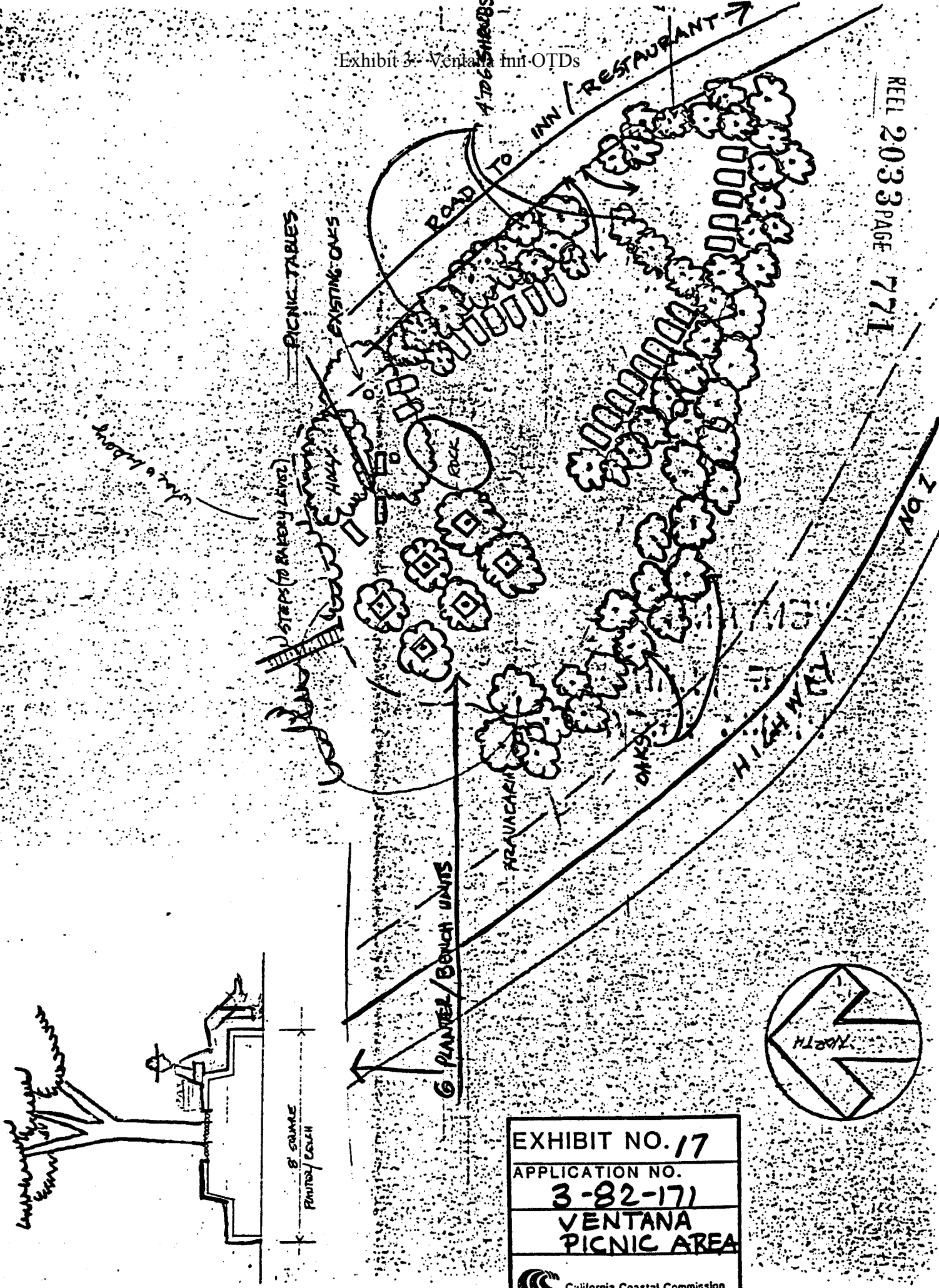



EXHIBIT NO. 17
APPLICATION NO.
3-82-171
VENTANA
PICNIC AREA
 California Coastal Commission

REEL 2033 PAGE 772

Runoff - 1225 GPM

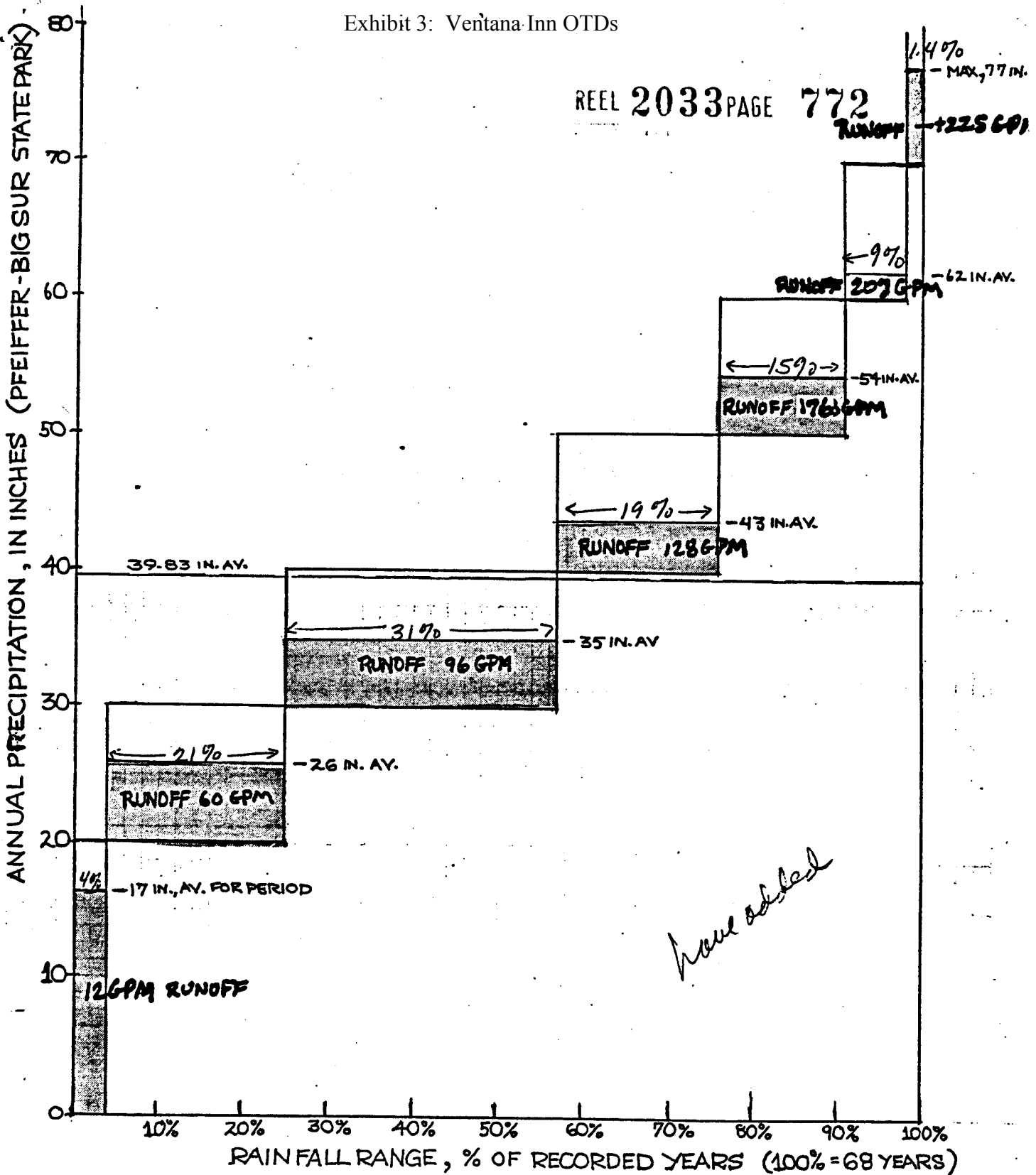


EXHIBIT NO. 16

APPLICATION NO.

3-82-171

VENTANA
POST CREEK

RUNOFF
California Coastal Commission

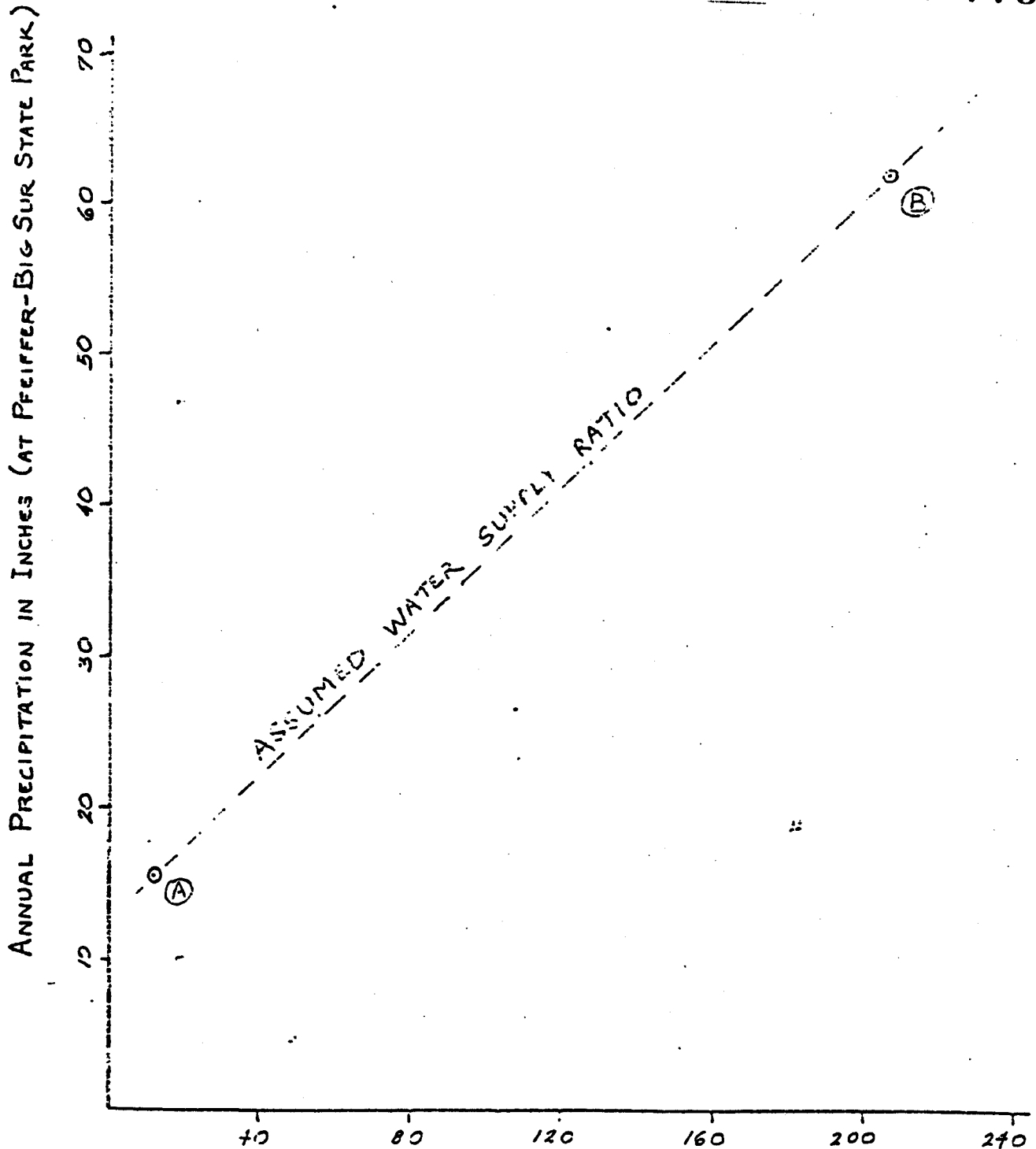


EXHIBIT NO. 15

APPLICATION NO.

3-82-171

VENTANA

PRECIPITATION/

DISCHARGE



California Coastal Commission

POST CREEK — DISCHARGE IN GALLONS PER MINUTE
AT STEELHEAD SPAWNING AREA IN
PFEIFFER-BIG SUR STATE PARK

(A) 12.2 gpm (15.48" precip.), Sept. 1976 (Subregional Analysis)

(B) 207 gpm (62.12" precip.), Sept. 1982 (Chase & Otter measurement +15%)

COASTAL COR
L. CHASE
9-17-82

RAINFALL, INCHES
Exhibit 3: Ventana Inn, OTDs

ANNUAL RAINFALL SEASONS

- 1914-15
- 5-6
- 6-7
- 7-8
- 8-9
- 1919-20
- 0-1
- 1-2
- 2-3
- 3-4
- 1924-25
- 5-6
- 6-7
- 7-8
- 8-9
- 1929-30
- 0-1
- 1-2
- 2-3
- 3-4
- 1934-35
- 5-6
- 6-7
- 7-8
- 8-9
- 1939-40
- 0-1
- 1-2
- 2-3
- 3-4
- 1944-45
- 5-6
- 6-7
- 7-8
- 8-9
- 1949-50
- 0-1
- 1-2
- 2-3
- 3-4
- 1954-55
- 5-6
- 6-7
- 7-8
- 8-9
- 1959-60
- 0-1
- 1-2
- 2-3
- 3-4
- 1964-65
- 5-6
- 6-7
- 7-8
- 8-9
- 1969-70
- 0-1
- 1-2
- 2-3
- 3-4
- 1974-75
- 5-6
- 6-7
- 7-8
- 8-9
- 1979-80
- 0-1
- 1-2
- 2-3
- 3-4
- 1984-85

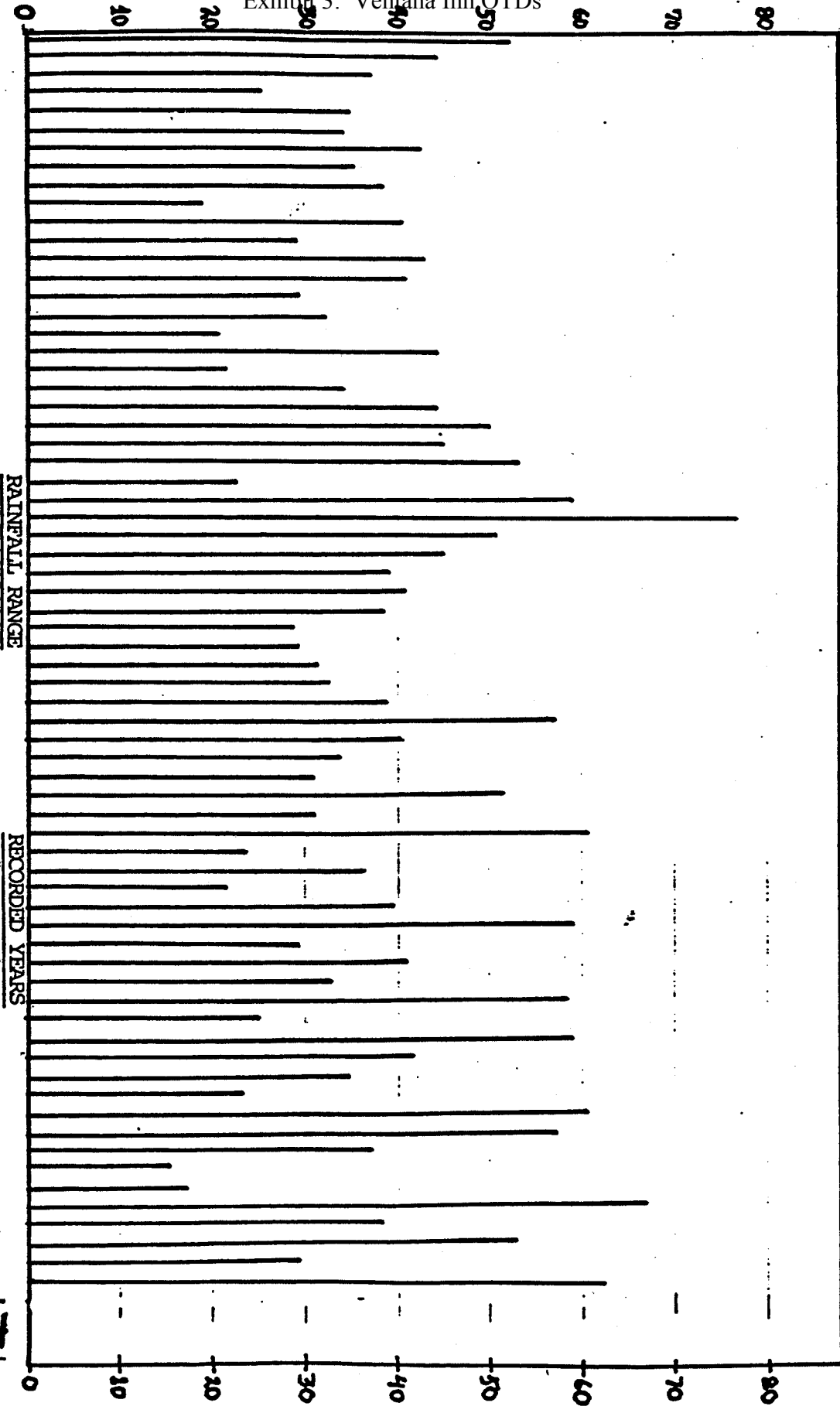


EXHIBIT NO. 14
APPLICATION NO. 3-82-171
VENTANA HISTORIC RAINFALL
California Coastal Comm

	WATER SUPPLY				VENTANA INN EXPANSION			
	Rainfall 1977-78 66.43 inches JULY 15, 1978		Rainfall 1976-77 17.20 inches AUGUST 11, 23, 1977		Rainfall 1975-76 15.48 inches (driest recorded yr.) MAY 1977		Rainfall 1974-75 36.91 inches NOV. 1975	
EXISTING	g.p.m.	g.p.d.	g.p.m.	g.p.d.	g.p.m.	g.p.d.	g.p.m.	g.p.d.
Redwood Springs	14.3	20,592	2.61	3758	3.16	4550	17	24,480
Coastlands overflow	7.3	10,512	.67-2.30	964	2.46	3542	21	30,240
Post Creek	40.1	57,744	15.51	22,234	12.6	18,144	45	64,800
restaurant well	-	-	.43	624	" 2.1	3024	2.16	
campground Spring	-	-	-	-	5.86	8438	10	14,400
Subtotal	61.7	88,848	19.22	27,680	26.12	37,698	95.1	137,030
FUTURE								
Mc Carty Springs	23.8	34,272	> 12	17,000	15.9	22,896	37	53,280
TOTAL	85.5	123,120	> 31	44,680	42.0	60,594	132.1	190,310

Source: August 1977 and 1978 measurements by Jack Mahoney, Civil Engineer; May 1977 by Tore Engineering; 1975 by Richard Thorup, Consulting Geologist

Commission Staff Note: These measurements (excepting the well and McCarty Springs) represent water flowing into Ventana Inn water facility intakes. During low flow conditions a very large percentage of the water is collected. However, total figures do not measure creek flow but are an unknown percentage of the creek flow. The collected water continually overflows the storage tank back into Post Creek except that quantity which is consumed by the Ventana Inn water uses.

EXHIBIT NO. 13
APPLICATION NO. 3-82-171
VENTANA HISTORIC WATER SUPPLY
California Coastal Commission

VENTANA INN WATER SUPPLY

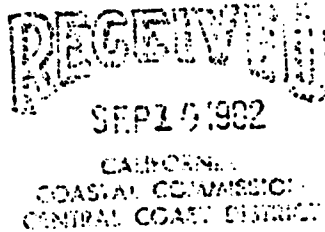
(gallons per minute)

EXHIBIT NO. 12
APPLICATION NO. 3-82-171

Source	Historic		Current	
	November 1975	May 1977	Normal Rainfall Supply Available	Drought Year Supply Available
Coastlands Overflow	21.00	2.46	21.00	0 - 2.46
Restaurant Well	2.16	2.10	25.00 ¹⁾	12.50 ¹⁾
Campground Spring	10.00	5.86	10.00 - 20.00 ²⁾	5.86 - 11.72 ²⁾
Post Creek Inlets	45.00	12.60	45.00	12.60
Post Creek Upper Main Stream	Not measured		135.00 ³⁾	12.60 ⁴⁾
Redwood Spring	17.00	3.16	17.00 - 34.00 ²⁾	3.16 - 6.32 ²⁾
McCarty Spring	37.00	15.90	18.50 - 37.00 ²⁾	7.95 - 15.90 ²⁾
Available to Ventana			271.50 - 317.00	54.67 - 74.10
McCarty Springs Recharge			18.50 - 37.00 ²⁾	7.95 - 15.90 ²⁾
Total Supply			290.00 - 354.00	62.62 - 90.00
Ventana Demand			(22.20)	(22.20)
Available to Post Creek			267.80 - 331.80	40.42 - 67.80

- 1) Well redrilled and pump tested.
- 2) High estimates based on reconstructing spring inlets.
- 3) Assumes Post Creek inlets can capture $\frac{1}{4}$ of stream flow.
- 4) Assumes Post Creek inlets can capture $\frac{1}{3}$ of stream flow during drought.

JOHN V. STAHL
PLANNING CONSULTANT



REEL 2033 PAGE 777

1126 LAGUNA STREET
SANTA BARBARA, CALIFORNIA 93101
(805) 962-5260

September 9, 1982

Mr. Les Strnad
California Coastal Commission
701 Ocean Street
Santa Cruz, California 95060

re: Ventana Water Supply

Dear Les:

Attached is a replacement chart for the one forwarded to you by Bob Paravasini on August 23, 1982, showing water supply available to Ventana and to Post Creek for habitat protection. Since the upper main Post Creek stream flow has not been measured, I am making the assumption that Ventana's inlet system can capture only 25% of the stream flow during normal rainfall years, and that these inlets can capture 50% of the flow during drought years. As you can see, the worst case drought flow available to Post Creek after Ventana's take is 40.42 gpm. If additional flow is needed to protect stream habitat, Ventana is willing to commit to a conservation program to meet those stream flow requirements.

Thank you for your assistance.

Very truly yours,

John Stahl (u)
John V. Stahl

cc: Kent Colwell
Harry Fish
Bob Paravasini
JVS:llf

EXHIBIT NO. 12
APPLICATION NO. 3-82-171

WATER TABLE SIMILAR TO PAGE 11 IN THE EIR.

No.	Source	Nov 1975 May 1977 Gallons per minute	Normal supply available to Ventana	Supply available during drought conditions	Water available to Post Creek to meet 45 GPM demand
1	Coastlands Overflow	21	21	2.46	-
2	Sandoval Spring	-	-	-	-
3	Restaurant well	2.16	12	12	-
4	Campground Spring	10	10	5.86	-
5	Post Creek	45	45	-	12.6
6	Redwood Spring	17	17	3.16	-
7	McCarty Spring	37	-	-	15.9 to 32
TOTALS		144.7	105 ¹	23.48 ¹	38.5 to 54.5 ²

- 1- Only 22.2 GPM are required for full operation including landscaping.
- 2- This figure is shy of the 45 GPM minimum (45 less 38.5 is 6.5 GPM) 6.5 GPM translates to 9360 gallons per day which could be made up by additional conservation measures at Ventana.

EXHIBIT NO. 12
APPLICATION NO.
3-82-171

23 August 1982

Les Strnad and Joy Chase

page 2

REEL 2033 PAGE 779

- (4) Source 3, the restaurant well was deepened to 260 feet. The well was pump tested for 48 hours to yield 20 to 25 GPM. (see attachments)

The following table is the same as in the EIR but, I have added three columns. The first column indicates the sources Ventana could use to meet its 22 GPM need during Normal rainfall years. There is obviously an abundance of water available; this is confirmed by witnessing Post Creek and the Springs which are flowing in abundance as we approach September.

The second column indicates where Ventana will get its water during drought conditions similar to those of May 1977.

The third column indicates the water available to Post Creek to meet the 45 GPM demand during drought conditions similar to May 1977.

The key to successful water management of Post Creek would be establishing a stabilized check point in the Creek past the last intake where you could accurately measure the water flow.

When water flow becomes reduced due to minimal rainfall, the following additional conservation measures will be taken:

- | | |
|------------------------------------------------------------------|---------------|
| (1) Eliminate all external watering | 5000 Gall/day |
| (2) Close 10 units | 1500 Gall/day |
| (3) Close 10 campsites | 1500 Gall/day |
| (4) Use paper plates and cups to minimize the dishwashing effort | 1000 Gall/day |
| Total water saved | 9000 Gall/day |

- (5) We would also establish shower 'times', shutting off the water to the Inn units during the day.

I believe this is the direction our discussion was pointing towards and look forward to your input.

Sincerely,



EXHIBIT NO. 12
APPLICATION NO. 3-82-171

ROBERT PARAVICINI ARCHITECT

REEL 2033 PAGE 780

23 August 1982

Les Strnad, Chief of Regulatory Functions
Joy Chase, Coastal Planner
California Coastal Commission
Central Coast District Office
701 Ocean Street, Room 310
Santa Cruz, California 95060

RECEIVED
AUG 24 1982
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST DISTRICT

Subject: Permit Application 3-82-171
Ventana Inn, inc.
Big Sur, California

RE. Additional information concerning supply and use of water as discussed at Staff meeting with Joy Chase, Les Strnad, Rick Hyman, John Stahl and Robert Paravicini on 19 August 1982.

Dear Ms. Chase and Mr. Strnad:


There were several points of discussion during our meeting which are relevant to the use/conservation 'formula'.

I have listed them as follows:

- (1) Ventana's water consumption including the proposed expansion will be 32,000 gallons per day. This translates to 22.2 gallons per minute (GPM).
- (2) The Department of Fish and Game have determined that a water flow of 45 GPM is necessary in the lower Post Creek to maintain the existing Steelhead spawning area.
- (3) The table on page 11 of the EIR, which lists water sources, is water that was measured at Ventana's intakes and does not indicate the total amount of water available at that source. For example, source 5, Post Creek, May 1977, 12.6 GPM: This 12.6 GPM was water flowing into Ventana's water tank and not what was flowing in the Post Creek. The only source not measured at an inlet was source 7, McCarty Springs.

DON MC QUEEN 625 3514

3036 SLOAT ROAD • PEBBLE BEACH, CALIFORNIA 94029

EXHIBIT NO. 12
APPLICATION NO. 3-82-171
VENTANA HYDROLOGY REPORT
 California Coastal Commission

Water Use Projection by Staff

REEL 2033 PAGE 781

	<u>Proposed Development</u>	<u>Increase</u>	<u>July 82</u>	<u>Total</u>
(a) Inn	19 units @ 200 gpd	3800 gpd	+ 8500	12,300
(b) Restaurant Complex	60 meals @ 10 gp meal	600 gpd	+ 4190	4,790
(c) Campground/Staff Housing*	21 sites @ 78 gpd**	1638 gpd	+ 8466	10,104
(d) Post Homestead Store	Store Approx. 800	920 gpd	+ 3887	4,807
Bakery, Staff Housing	Staff 3 @ 40 120			
(e) Residential Parcels	4 units @ 500 gpd	2,000 gpd		2,000
(Supplied by Ventana)				
(f) Public-Recreational facilities				
Campsites 19 sites @ 78 gpd		1482 gpd		1,482
Picnic Area	42 cars @ 15 per car	630 gpd		630
Estimated Total Increase		11,070	25,043	36,113

* Since 8 campsites currently occupied by employees will be converted to employee housing and will house the employees who now occupy 21 sites, density increase will be a net of 13 campsites. Additionally, 8 new sites are required as a condition of the permit to replace those lost.

** Based on estimated breakdown of July 82 water use, i.e. 40 gpd per staff person (56) and 78 gpd per campsite (80 Sites). Assumes no increase in staff consumption since no increase in staff numbers. Assumes no increase in consumption by conversion to tent cabins. Since staff laundry facilities will be installed, these figures could be low. (EPA standards are 105 pgd per site (additional 2205).)

EXHIBIT NO. 11
APPLICATION NO. 3-82-171
VENTANA WATER USE
PROJECTIONS California Coastal Commission

Exhibit 3: Ventana Inn OTDs
VENTANA INN HISTORIC WATER USE GALLONS PER DAY

REEL 2033 PAGE 782

	<u>8/19-24, 1977</u>	<u>5/11-6/28/78</u>	<u>7/4/81-8/16/81</u> <u>(Peak Use Weeks)</u>	<u>Normal 1981</u> <u>Summer Week</u>	<u>Month of July, 1981</u> <u>Average</u>	
Inn/Pool/ landscaping	4,239 (24 units)	4,729	5,364	5,332	5,324	8,500 (estimate 40 units, meter broke)
Restaurant Bar Land- scaping	2,718	_____	4,534	4,168	4,312	4,190
Camp Sites (101) Staff Housing (15)	6,168	_____	10,609	12,452	11,013	8,466
Post Homestead Housing, Bakery Gas Station, Delicatessen	_____	_____	11,268	10,743	9,445	3,887 (Deli & gas station re- moved)
<hr/>						
TOTAL	13,116	_____	31,875	32,695	30,094	25,370


Previous buildout projections have varied according to changes in anticipated uses and in the range of water use factors used for projections. Ventana's own projects were 21,000 for a 60 unit inn complex, plus 2,000 for houses supplied by Ventana system plus 5,000 gpd for 38 staff units for a total of 28,000 gpd. The current projection for full buildout below is 32,000. The current use is 25,370 gpd. Staff's current project for full buildout is 36,113.

Water Use Projection by Applicant

Campground and Staff Housing	1)	12,000	(23 staff units with laundry and recreation building)
Post Homestead, Gas Station and Store	2)	3,000	(3 staff units, store, bakery)
Restaurant complex		4,500	
Inn Complex (59 units)	3)	12,500	(59 units/2 pools)
TOTAL		32,000	

Assumptions:

- 1) No net water increase because of water conservation program and installation of new water line to stop leaks. Elimination of public laundries.
- 2) reflects elimination of gas station and delicatessen.
- 3) Expansion of 35 units X 200 gpd over 1981 measurements.

EXHIBIT NO. 10
APPLICATION NO. 3-82-171
VENTANA
WATER USE
HISTORIC
 California Coastal Commission

Well Log - Ventana Inn

0-75	Yellow clay
75-80	Yellow clay and decomposed granite
80-90	Yellow hard clay
90-94	Hard decomposed granite
94-100	Yellow clay and decomposed granite
100-108	Hard decomposed granite
108-110	Blue clay
110-116	Hard serpentine (blue)
116-132	Gray
132-140	Hard gray serpentine rock
140-154	Soft black mud
154-176	Hard serpentine and limestone with layers of gray clay
176-270	Gray sandstone with streaks of black and gray rock
270-310	Gray sandstone with hard gray rock

Note: 0-176' drilled in 1969 by Masson Drilling. 176-310'
drilled in 1981 by Chappell Pump and Supply.

Figure 2

EXHIBIT NO. 9
APPLICATION NO. 3-82-171

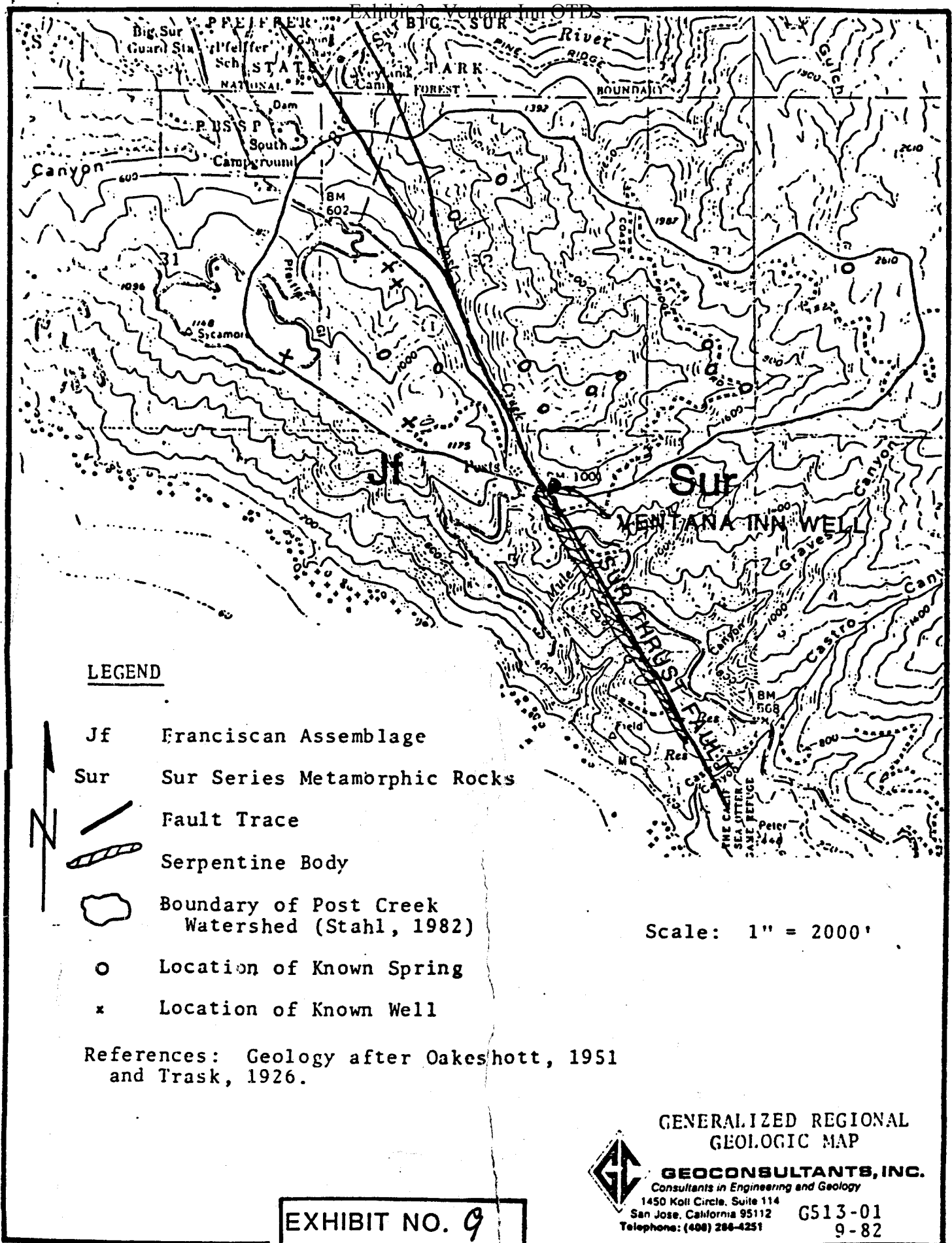


Figure 1

REEL 2033 PAGE 785

REFERENCES

Oakeshott, Gordon B. (1951), Guide to the Geology of Pfeiffer Big Sur State Park, Monterey County, California: State of California Division of Mines Special Report 11.

Stahl, John V. (1982), Post Creek Watershed Study, Big Sur, California: unpublished report.

Trask, Parker D. (1926), Geology of the Point Sur Quadrangle, California: University of California Department of Geological Sciences Bulletin, vol. 16, p. 119-186.

EXHIBIT NO. 9

APPLICATION NO.

3-82-171

Mr. Robert Paravicini
September 20, 1982
Page 3

REEL 2033 PAGE 786

Because no hydrologic data relating to Mule Canyon Creek is available to us at present, we cannot say with certainty that pumping the well will not affect this watershed. However, based on topography and known geology, the most likely area to be affected probably would be the north-south canyon south-west and directly across Highway 1 from the well. If any springs exist in this canyon and lie at similar or greater elevations to the water level in the well (approximately 850 feet above sea level), they may influence or be influenced by the well.

CONCLUSIONS

Based on the available data and the discussion presented above, we conclude that pumping the Ventana Inn well should not affect the Post Creek watershed, because the aquifer supplying the well with water does not supply Post Creek with most of the creek's flow. Also, we conclude that while sufficient data is not available now to determine the relationship between the well and the Mule Canyon Creek watershed, if any hydrogeologic connection did exist, it should be evident in a small, specified area.

LIMITATIONS

This evaluation, consisting of professional opinions and recommendations, has been made in accordance with generally accepted principles and practices in the field of engineering geology and hydrology. This warranty is in lieu of all other warranties either express or implied.

It has been a pleasure performing this service for you. If you have any questions concerning the data or conclusions presented, please do not hesitate to call.

Very truly yours,

GEOCONSULTANTS, INC.

Debra J. Moser

Debra J. Moser
Project Geologist

Jeremy C. Wire

Jeremy C. Wire
Engineering Geologist, EG-71

DJM/JCW:jw

cc: Mr. John Stahl (1)
Coastal Commission (1)

EXHIBIT NO. 9

APPLICATION NO.

3-82-171

Mr. Robert Paravicini
September 20, 1982
Page 2

REEL 2033 PAGE 787

The perennial flow of Post Creek probably is sustained largely by spring flow. Because a portion of Post Creek flows along the Sur thrust, springs in both the Franciscan and Sur series rocks appear to contribute to Post Creek. However, because the creek originates in a canyon cut into Sur series rocks and because known springs are more numerous in Sur series rocks in the Post Creek watershed, it is our opinion that most of Post Creek's flow is discharge from Sur series rocks.

WELL-SITE HYDROGEOLOGY

As shown on Figure 1, the Ventana Inn well lies just east of the Sur thrust fault, within the Sur series bedrock unit. However, the driller's logs of the well (Figure 2) report that while the upper 108 feet of the well penetrated clay and decomposed granite typical of the Sur series, from 110 to the total depth of 310 feet the drillers report serpentine, clay and sandstone more characteristic of Franciscan rocks. While the change in rock type may be due to inaccurate rock identification by the driller, it is our opinion that the well may have penetrated the inclined surface of the Sur thrust, which could be the zone of blue clay, serpentine, and soft black mud reported by the driller between 108 and 154 feet in depth.

Because the well is located on a ridge separating two watersheds, the Post Creek and the Mule Canyon Creek, the aquifer tapped by the well also may supply water to one or both of these watersheds. As discussed above, Post Creek appears to receive most of its flow from the Sur series rocks. Spring or other hydrologic data is not presently available for Mule Canyon Creek; however, it flows across both Sur series and Franciscan rock terranes.

We understand that the original Ventana Inn well, which was 176 feet deep, declined in yield from 10 to 2 gallons per minute over the 12 years it was in use. This suggests to us that the materials above 176 feet, including the Sur series rocks, do not receive much recharge and are now essentially dry. Thus, the Sur series rocks in the immediate vicinity of the well do not appear to be capable of contributing to stream flow in either Post Creek or Mule Canyon Creek. The well as presently constructed probably obtains most of its yield from the Franciscan rocks penetrated in the lower portion of the well. Because Franciscan rocks do not appear to contribute as much as Sur series rocks to stream flow in Post Creek, use of the well should not affect Post Creek.

EXHIBIT NO. 9

APPLICATION NO.

3-82-171



GEOCONSULTANTS, INC.

Consultants in Geology, Hydrology, Engineering

1450 Koll Circle, Suite 114

San Jose, California 95112

Telephone: (408) 286-4251

REEL 2033 PAGE 788

Project No. G513-01

September 20, 1982

SEP 22 1982

RECEIVED
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST DISTRICT

Mr. Robert Paravicini
3036 Sloat Road
Pebble Beach, CA 93953

RE: HYDROGEOLOGIC REVIEW OF EXISTING WELL
VENTANA INN, BIG SUR
MONTEREY COUNTY, CALIFORNIA

Dear Mr. Paravicini:

In accordance with your authorization of September 15, 1982, we have completed our review of hydrogeologic conditions affecting the existing well at the Ventana Inn. We understand that the Coastal Commission has questioned whether pumping the well will deplete or otherwise affect the aquifer supplying Post Creek. Our review is based on available data obtained from you at our meeting on September 15, 1982, and from our library and files. No new field data was generated for this investigation.

REGIONAL HYDROGEOLOGY

The Ventana Inn property lies in the western portion of the Santa Lucia Mountains south of Pfeiffer Big Sur State Park. The bedrock underlying the site consists mostly of Sur series metamorphic rocks including gneiss, quartzite and limestone. The eastward dipping Sur thrust fault is mapped as trending northwesterly in the extreme western portion of the Ventana property. West of the fault and below it, rocks of the Franciscan Assemblage consisting mainly of sandstone and shale are mapped. Some serpentine bodies associated with the Franciscan rocks are also found along the fault. These relationships are shown on the Generalized Regional Geologic Map, Figure 1.

Ground water may occur in fractures in either the Sur series or Franciscan rocks. Figure 1 shows the locations of known springs and wells within the Post Creek watershed. These appear to tap both rock units, although springs are more common in the Sur series rocks.

EXHIBIT NO. 9

APPLICATION NO.

3-82-171

VENTANA

GEOCONSULTANTS

HYDROLOGY REVIEW

California Coastal Commission

Historic Post Creek Watershed Investigations

- a. The "Big Sur Coast Subregional Analysis", February 1977, prepared by the Coastal Commission staff provided the following data for the Post Creek Watershed:

(1) <u>area</u> <u>ac/sq.mi</u>	<u>rainfall</u> <u>average annual</u>	<u>potential runoff(100%)</u> <u>ac.ft. gpd</u>	<u>stream discharge</u>
870/1.36	41.0 inches	2980 2,660,364	1,117,353 gpd (42%) or 776 gpm
			1,330,182 gpd (50%) or 924 gpm

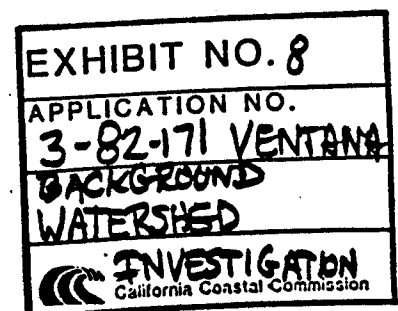
NOTE: Runoff/precipitation ratios by Department of Water Resources (42%) and Majtenyi discharge prediction model (50%)

(2) <u>Sept.1976</u> <u>discharge</u>	<u>Watershed Use 1976</u> <u>(excludes Coastlands)</u>	<u>Watershed Use at Zoning</u> <u>buildout</u>
17,400 gpd or 12.1 gpm (8.9 gpm/sq.mi)	35,400 gpd or 23 gpm (67% of supply*)	76,025 gpd (144% of supply*)

NOTE: In this model discharge plus use equals supply (17,400 + 35,400=52,800)

The low flow ratio (when compared to other Big Sur watersheds) of 8.9 gpm/sq. mi. could be attributable to the export of water from Post Creek to the 26 developed residential sites in the Coastlands subdivision. Though no measurements are available, a minimal projection of water exported would be 3.6 gpm (200 gpd per household).

The Subregional Analysis model equates consumption plus unused flow with total flow, and does not specifically address water returned via leach-fields or water supplied via non surface sources. The report was preliminary in nature and anticipated a more thorough study of water resources with a detailed analysis of records and measurements of several years' duration.



b. The Preliminary Plan and Policies for the Protection of the Big Sur Coast Water Resources by Black and Veatch Consulting Engineers, August, 1980, identified Post Creek as an area where water supplies had diminished to the point that wildlife and vegetation could be adversely affected and as an area with a history of water supply problems. However, in this study the Big Sur River tributary watersheds were not analyzed separately.

The Post Creek watershed area (1.36 sq. mi.) is 2.3% of the area of the total Big Sur Watershed. If a direct relationship between area and stream discharge can be assumed, the following data can be extrapolated.

<u>Average Runoff</u>	<u>Maximum (Feb) Average stream flow</u>	<u>1976 Drought Flow</u>
1,167,387 gpd or 810 gpm	3,553,920 gpd or 2468 gpm (5.5 cfs)	58 gpm

Actual measured drought flow below the log jam (See Exhibit 4) was 12.1 gpm, somewhat less than the extrapolation. Though an unknown quantity of water was exported out of the watershed by Coastlands Mutual Water Company, it is unlikely that it is more than 7 gpm (twice the 200 gpd/house used in the Subregional Analysis). If 7 gpm were added to the 12.1 gpm flow, a potential would be 19.1 gpm. Still the mathematically-derived figures remain higher than measurements.

The investigation also estimates normal base flow, i.e. lowest stream flow occurring in a normal rainfall year at 3.5, the measured drought flow. For Post Creek that would be 42.35 gpm ($12.1 \text{ gpm} \times 3.5$). In this case, if 7 gpm is allowed for Coastlands, theoretically, increasing drought flow to 19.1, a normal base flow would be estimated at approximately 66.85 gpm. Hence, base flow would be only 8.85 gpm greater than the directly extrapolated 58 gpm. Actual measurement in September 1982 (after a wetter than normal year, 62 inches) was plus 200 gpm at the creek's confluence with the Big Sur River.

Though the mathematically derived hydrologic data may be useful on a larger scale, it does not appear to retain its validity for limited areas and untested circumstances.

This Black and Veatch plan emphasizes that there is a limited amount of data known and a lack of knowledge pertaining to the hydrologic conditions in the study area. In particular, minimum stream flows needed to protect the environment could not be safely extrapolated.


EXHIBIT NO. 3
APPLICATION NO.
3-82-171 VENTANA
BACKGROUND
WATERSHED
INVESTIGATION
 California Coastal Commission

FIGURE 15

BIG SUR RIVER

MEAN RUNOFF BY MONTH

1950-1975

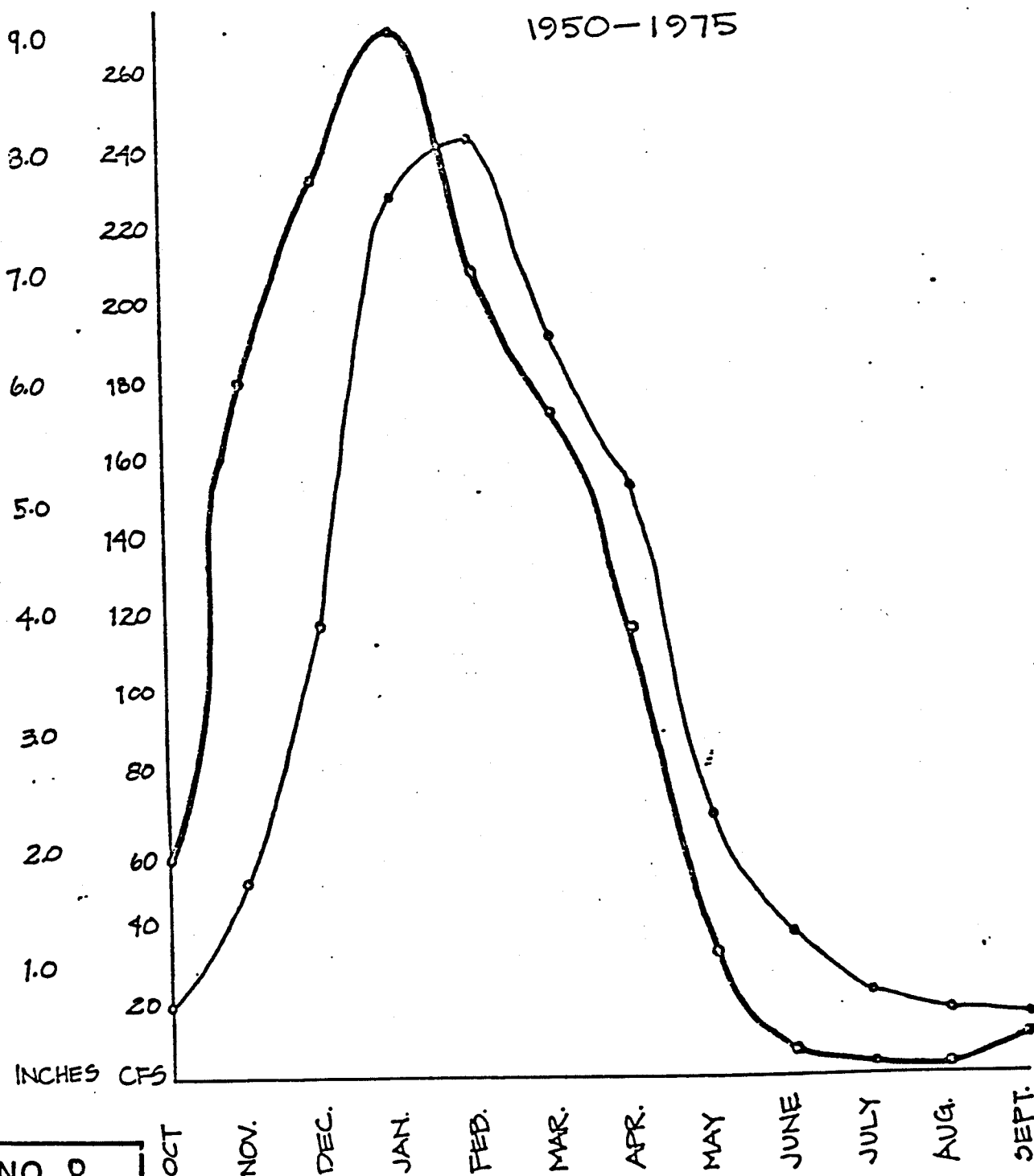


EXHIBIT NO. 8

APPLICATION NO.

3-82-171

VENTANA

BIG SUR RIVER

HYDROGRAPH
California Coastal Commission

— DISCHARGE CFS
 — PRECIPITATION INCHES

BACKGROUND
 WATERSHED INVESTIGATION

California Coastal Commission

-2


June 16, 1982

Ventana will remain responsible for the maintenance and operation of the pump and waterline. The Department of Fish and Game will provide the appropriate direction as to periods when additional water flow is critical to steelhead survival.

Very truly yours,



Kent L. Colwell
President
Ventana Inn, Inc.

EXHIBIT NO. 7
APPLICATION NO. 3-82-171
VENTANA
STEELHEAD
PROTECTION
 California Coastal Commission

VENTANA BIG SUR

June 16, 1982


California Coastal Commission
631 Howard Street
San Francisco, California 94105

Dear Commissioners:

This letter is to provide some further explanation and amplification of our recently submitted application in which we proposed to provide for the additional flow of water during periods of drought in Post Creek. The purpose of this proposal was to protect the habitat for steelhead during such periods.

The Post Creek is not an important habitat for steelhead and in connection with all of the applications submitted to the Coastal Commission relating to the Ventana property prior to September 1980, the Department of Fish and Game had indicated no significant resources were affected. In September 1980, in connection with an application submitted by the former owner of Ventana, the Department of Fish and Game amended its position and brought the Commission's attention to the existence of steelhead in Post Creek.

It is only in the first 800 feet from where the Post Creek feeds into the Big Sur River that steelhead spawning grounds could exist since a very large log-jam blocks passage further upstream. All of this portion of Post Creek lies within the State Park property. In preparing our present application we worked closely with representatives of both the Department of Fish and Game and the State Park Department. The potential solution of pumping sufficient water from the Big Sur River to the uppermost point on the Post Creek which steelhead could reach during period of drought was one that the Department of Fish and Game found acceptable. We then worked with the State Park representatives to find an easement through its property for a waterline which would not be either environmentally damaging to the Park or interfere with its operations. In connection with obtaining such an easement, Ventana has also agreed to grant a trail easement across a portion of the property owned by the U.S. Forest Service trail.

EXHIBIT NO. 7
APPLICATION NO. 3-82-171
VENTANA
STEELHEAD
PROTECTION
 California Coastal Commission

U.S.

DEPARTMENT OF PARKS AND RECREATION

REEL 2033 PAGE 794

Big Sur Area
Pfeiffer Big Sur State Park
Big Sur, California 93920
(408) 667-2316

RECEIVED
JUN 25 1982

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST DISTRICT

June 18, 1982

Mr. John V. Stahl
Planning Consultant, Ventana
1126 Laguna
Santa Barbara, California

Dear Mr. Stahl:

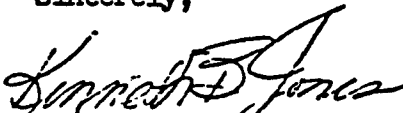
Several levels within the California Department of Parks and Recreation have reviewed Ventana's proposal to install a standby pumping system within Pfeiffer Big Sur State Park and we have conceptually endorsed the project.

While many details would still need to be addressed (i.e., specifics of the easement), most of the environmental concerns have been adequately met through on-site meetings. Maintaining a minimum streamflow during drought periods will not only benefit juvenile steelhead, but assist in maintaining streamside vegetation along the lower stretches of Post Creek. As you are no doubt aware, State Parks have expressed concerns regarding the habitat on Post Creek in the past.

Until the details of pump output are finalized, we are reluctant to provide you information on a fire hydrant or hose bib size. We would, however, still like to work with you on some type of standby water source should the system be installed.

Please let us know if we can be of further assistance.

Sincerely,


Kenneth B. Jones
Manager, Big Sur Area

KBJ:bvp

cc: Mr. Felty

EXHIBIT NO. 7
APPLICATION NO. 3-82-171
VENTANA STEELHEAD
PROTECTION California Coastal Commission

Steelhead

POST CREEK WATER BUDGET
URBAN DEMAND

PROPERTY	ACREAGE	SUPPLY		DEMAND		COMMENTS
		CPD-SUMMER AVERAGE	DROUGHT	CPD-SUMMER CURRENT	LUP	
VENTANA	243	230,000	72,000	25,000	32,000	Actual Average & Drought year measurements. Includes existing supplies from upper 1/3 Post Creek, Kelm, 1/2 McCarty Springs & Well. LUP 20 additional Inn units.
State Park	41	-0-	-0-	-0-	-0-	Vegetation and wild life only.
LANGUM	193	6,200	3,000	-0-	2,000	1 spring. LUP 4 residences.
BALLARD	12	500	500	-0-	500	Groundwater. LUP 1 residence.
KELM	120	7,200 (6,200)	3,000 (2,000)	-0-	1,000	2 springs. Excess over 1000 to Ventana. LUP 2 residences.
POST	172	50,000	21,000	2,000	20,000	Well and springs. LUP 60 unit Inn and existing homes.
RAMISTELLA	12	-0-	-0-	-0-	-0-	Water supplied from outside watershed. LUP 1 residence.
FLODY	8	1,400	700	500	500	Well. LUP 1 residence.
CIAPPELLET	69	7,000	3,000	500	1,000	Well. LUP 1 residence.
YAEGER	55	45,000	20,000	1,000	16,000	Well and spring. LUP commercial, 2 residences and 40 unit Inn.
STATE HWY.	13	-0-	-0-	-0-	-0-	No water demand.
BURLINGI, LEVY	30	1,500	1,000	750	1,500	Post Creek surface supplies via Ventana. LUP 3 residences.
SELBERT	1	500	500	500	500	Groundwater.
REDICK	969	349,300	124,700	30,250	65,000	
SUBTOTAL	-0-	30,000	11,500	7,500	9,000	Post Creek surface. LUP 3-4 residences.
COASTLANDS	969	379,300	136,200	37,750	84,000	
TOTALS						

EXHIBIT NO. 7

APPLICATION NO.

3-82-171

Ms. Chase & Mr. Otter, page 3

July 30, 1982

Yaeger - This property has no water rights to Post Creek. Well production has been tested at 20 gpm. Spring produces 15 gpm during normal years. Drought production has been estimated at 8 gpm from well and 6 gpm from the spring. LUP demand should be increased to 16,000 gpd to reflect addition of low cost visitor serving facilities and staff housing.

State Highway - No water usage.

Burliegh, Levy, Gelbert - Existing use is metered. LUP would allow one additional residence.

Redick - Existing well has been conservatively estimated at 500 gpd. Actual measurement of well may indicate a much higher yield. We have assumed only existing use in the future.

Coastlands - Average and drought years supplies and demand based on measurements by Mr. Mahoney. LUP demand based on existing vacant buildable lots.

You also inquired as to water storage available at Ventana. There are 4 15,000 gallon tanks located above the meadow Southeast of the inn, a 12,000 gallon cistern at the restaurant, and an 8,000 gallon tank in the campground, for a total of 80,000 gallons of storage.

If you have any questions regarding the above, please call.

Sincerely yours,

John V. Stahl
(ccf)
John V. Stahl

cc: Bob Paravacini
Kent Colwell

Encl.

JVS:llf

EXHIBIT NO. 7
APPLICATION NO. 3-82-171

Vis. Chase & Mr. Otter, page 2

July 30, 1982

demand on this site is severely limited because of topography and lack of public access. We based our assumption of 4 residences using the slope density formula in the LUP.

Kelm - This property does not have access to Post Creek. Two springs will deliver adequate water to two residences allowed under the slope density formula in the LUP. As with the Langum property, topography and lack of public access eliminates the possibility of visitor serving units.

Post - Currently four houses are supplied by a well which has been tested at 20 gpm. The two springs have been estimated by Mr. Mahoney to produce a minimum combined flow of 15 gpm during normal years. Drought supplies are estimated at 15 gpm - 9 gpm from the well and 6 gpm from the two springs. LUP demand figures should be revised upward from 16,000 gpd to 20,000 gpd. (See attached chart.) This would reflect 12,000 gpd for a 60 unit inn, and 8,000 gpd for LUP requirements for low cost visitor serving uses, existing houses and staff housing.

Ramistella - Water to this property is supplied from outside the Post Creek Watershed.

Flory - Single residence supplied by one well. No additional demand or supply assumed.

Chappellet - The majority of the Chappellet property is located outside the Post Creek watershed. That portion within the watershed is visible from Highway 1 and therefore future development is restricted, so we have assumed only one additional residence within the watershed. This property has no water rights to Post Creek. The existing well is adequate to supply existing and assumed residence.

EXHIBIT NO. 7

APPLICATION NO.

3-82-171

JOHN V. STAHL
PLANNING CONSULTANT

Exhibit 3: Ventana Inn OTDs

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AUG 02 1982

REEL 2033 PAGE 798

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST DISTRICT

1126 LAGUNA STREET
SANTA BARBARA, CALIFORNIA 93101
(805) 962-5260

July 30, 1982

Ms. Joy Chase
Mr. Lee Otter
California Coastal Commission
701 Ocean Street, Room 300
Santa Cruz, California 95050

re: Post Creek Watershed
Study

Dear Ms. Chase & Mr. Otter:

Following are our assumptions regarding existing and future water demands for Post Creek Watershed shown on the urban demand chart in the Post Creek Watershed Study previously submitted:

Ventana - Existing usage (25,000 gpd) was based on water measurements taken after removal of the gas station and deli. LUP usage (32,000 gpd) is based on assumptions previously submitted to you and is based on actual water measurements. Drought supply (72,000 gpd) is based on actual measurements taken by Mr. Jack Mahoney during the 1977 drought and assumes 50 gallons per minute available from all Ventana supplies. Ventana needs only 22 gpm to supply existing and proposed facilities. Average year supply (230,000 gpd) uses and assumption that 150 gallons per minute is available from all Ventana supplies.

State Park - The State Park gets all its water from wells located adjacent to the Big Sur River. No urban demand from Post Creek is assumed.

Laguna - This property has access to Post Creek and also has a major spring. Supply figures - 6,200 and 3,000 gpd are based on estimates of spring flow only by Mr. Jack Mahoney. Future

EXHIBIT NO. 7

APPLICATION NO.
2-07-171

of water consumption. During drought years strict water conservation programs, conjunctive use programs, habitat protection proposals and as a last resort, closing of visitor serving facilities should be required of property owners.

Conjunctive use of surface and ground water supplies is a well recognized water supply practice which provides the best environmental protection for a watershed. Conjunctive use emphasizes utilization of surface waters during normal rainfall years and groundwater supplies during drought years, leaving more surface water available for natural demands during critical supply periods.

Implementation:

Since the major water users, both existing and future, will come under the permit authority of Monterey County and the Coastal Commission, the water management practices proposed above can be implemented as conditions of development approval. Long-term management of Post Creek Watershed should be considered as part of any Big Sur Watershed Management District that is established. Proposed policies on the Big Sur Coastal Land Use Plan require that all applicants for developments agree to participate in a Big Sur Water Management District. An evaluation of future development potential within the Post Creek Watershed indicates that expansion of Ventana Inn to 60 units, and development of inns on the Post and Yaeger properties, are the only major developments possible.

EXHIBIT NO. 7
APPLICATION NO. 3-82-171

SECTION V CONCLUSIONS & RECOMMENDATIONS

Water Availability:

Water supply within the Post Creek Watershed is more than adequate for the land uses proposed in the Monterey County Big Sur Land Use Plan and the needs of the natural environment. Surface flows within the lower 1/3 of Post Creek may be restricted during severe drought conditions affecting fish populations. Adoption of water conservation and conjunctive use programs outlined below will mitigate the potential of drought year impacts on the lower 1/3 of Post Creek.

Management Program:

Monterey County and the Coastal Commission should require all applicants for development permits to adopt water conservation programs, including: 1) Installing of low-flush toilets, shower restrictors and restrictions on non-native landscaping; 2) Require use of grey water systems for landscape irrigation when acceptable by the Monterey County Health Department; 3) Public education regarding water use; 4) Special conditions regarding operations during a severe drought, including Ventana Inn's proposal to install a pump system in the lower reaches of Post Creek which will deliver water from the Big Sur River to the steelhead spawning grounds; and 5) All applicants for new developments should be required to implement a conjunctive water use program during drought years. During normal rainfall years there appears to be no need to impose water use restrictions other than normal water conservation practices, plus monitoring

POST CREEK WATER BUDGET				URBAN DEMAND			
PROPERTY	ACRES	SUPPLY		DEMAND		LUP	COMMENTS
		CPD-SURF AVERAGE	DROUGHT	CPD-SURF CURRENT			
VENTANA	243	230,000	72,000	25,000	32,000		Actual Average & Drought year measurements. Includes existing supplies from upper 1/3 Post Creek, Keln, 1/2 McCarty Springs & Well. LUP 20 additional Inn units.
State Park	41	-0-	-0-	-0-	-0-		Vegetation and wild life only.
LANGE	193	6,200	3,000	-0-	2,000		1 spring. LUP 4 residences.
BALLARD	12	500	500	-0-	500		Groundwater. LUP 1 residence.
KELN	120	7,200 (6,200)	3,000 (2,000)	-0-	1,000		2 springs. Excess over 1000 to Ventana. LUP 2 residences.
POST	172	50,000	21,000	2,000	20,000		Well and springs. LUP 60 unit Inn and existing homes.
RAMISTEILA	12	-0-	-0-	-0-	-0-		Water supplied from outside watershed. LUP 1 residence.
FLOY	8	1,400	700	500	500		Well. LUP 1 residence.
CHAPPELLET	69	7,000	3,000	500	1,000		Well. LUP 1 residence.
YAEGER	55	45,000	20,000	1,000	16,000		Well and spring. LUP commercial, 2 residences and 40 unit Inn.
STATE HWY.	13	-0-	-0-	-0-	-0-		No water demand.
BURLINGI, LEVY	30	1,500	1,000	750	1,500		Post Creek surface supplies via Ventana. LUP 3 residences.
DELBERT	1	500	500	500	500		Groundwater.
SUBTOTAL	969	349,300	124,700	30,250	65,000		
EASTLANDS	-0-	30,000	11,500	7,500	9,000		Post Creek surface. LUP 3-4 residences.
TOTALS	969	379,300	136,200	37,750	84,000		

EXHIBIT NO. 7

APPLICATION NO.

3-82-171

Water Budget:

Total water supplies currently available within the Post Creek Watershed during summer months:

	Average Rainfall	Drought
	Year/gpd	Year/gpd
Surface Supplies	500,000	170,000
Groundwater	145,000	97,000
TOTAL	645,000	267,000

Total urban demand during summer months has been calculated as:

	Current	LUP Buildout
Urban Demand	37,750	74,000

This leaves a significant majority of water available for natural demands. This surplus plus subsurface flows is more than adequate to protect vegetation. Special recommendations regarding fish and wildlife are discussed in the following Section.

These figures do not include subsurface flows which are available to plant life. Subsurface flows in coastal streams in most cases exceed surface flows.

Groundwater Supplies:

A very small percentage of current water supplies in the Post Creek Watershed is developed groundwater. This Study has located a total of five wells within the watershed. Since many property owners within the watershed do not have access to Post Creek surface supplies, their only source of water for future development will be subsurface wells. This Study recommends that Monterey County and the Coastal Commission encourage the conjunctive use of well water and surface water supplies.

Existing wells produce from 5-40 gallons per minute during average rainfall years. The Ventana Inn well has been redrilled to a depth of 380 feet and tested at 30 gallons per minute. The Post well has been tested at 40 gallons per minute, and the Yaeger well at 25 gallons per minute. This Study uses a conservative assumption of 75% of the tested yield for normal year production and 50% of tested yield for drought conditions. Based on these assumptions, total developed groundwater wells can yield approximately 145,000 gallons per day during a normal year and approximately 97,000 gallons per day during drought conditions. Development of additional wells would obviously increase groundwater yield.

Surface Water Supplies:

Post Creek has a drainage area of 960 acres. Average annual rainfall of 39.83 inches yields a runoff of over one billion gallons of water per year. Annual runoff during the worst recorded drought (15.48 inches of rainfall) was over 400 million gallons.

This Study has identified 12 springs (Appendix 3) that are located within the watershed. Typically these springs deliver 5-15 gallons per minute in an average rainfall year. Drought conditions can reduce spring flow from 50-75%. McCarty Springs is the largest spring in the watershed. It produces 40-50 gallons per minute during the summer months of a normal rainfall year. It was measured at 16 gallons per minute during the drought of 1977. Total yield from springs within the watershed is conservatively calculated at 125,000 gallons per day in a normal rainfall year; and at 50,000 gallons per day during drought conditions.

Post Creek is the major surface water supply within the watershed. Potential summer yield is 375,000 gallons per day during normal rainfall year, and 120,000 gallons per day during drought conditions. This is potential yield because there is no surface diversions within the lower 2/3 of Post Creek.

Total surface water available in Post Creek is 500,000 gallons per day normal year, and 170,000 gallons per day drought year.

EXHIBIT NO. 7

APPLICATION NO.

3-82-171

VENTANA WATERSHED
STUDY

STATE OF CALIFORNIA—RESOURCES AGENCY

DEPARTMENT OF FISH AND GAME

2201 Garden Road
Monterey, California 93940
(408) 649-2983

REEL 2033 PAGE 805

19 September 1980

CALIFORNIA
COASTAL COMMISSION

Mr. Mark Pritz-Delapina
California Coastal Commission
531 Howard Street, 4th Floor
San Francisco, California 94105

Subject: Ventana Inn

Dear Mark:

Thank you for the opportunity to clarify our position regarding the diversion of water from McCarty Springs for the Ventana Inn. We feel that 50% of the flow in a normal water year on a month by month basis is required to protect the riparian habitat. We also feel that in order to protect the riparian habitat of Post Creek no more than 50% of the flow would be diverted in a normal water year on a month by month basis.

Additional development within the Post Creek watershed could have significant adverse environmental impacts because of limited water supplies and erosion and sedimentation problems associated with construction.

Please contact Randy Benchin of my staff at (408) 649-2983 if you have any additional questions.

Sincerely,

Michael L. Johnson
Michael L. Johnson
Associate Fishery Biologist

cc: Region 3 Yountville
Don Lohlock, Chief ESB, Sacramento
Jack Mahoney, Consultant, Ventana Inn

EXHIBIT NO. 6

APPLICATION NO.

3-82-171

Ventana

DFG Letter
California Coastal Commission

Memorandum

REEL 2033 PAGE 806

To : Ed Brown, District Director
California Coastal Commission
Central Coast Region
701 Ocean St.
Santa Cruz, CA 95061

Date : September 2, 1982

RECEIVED
SEP 03 1982
CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST DISTRICT

From : Department of Fish and Game - Region 3

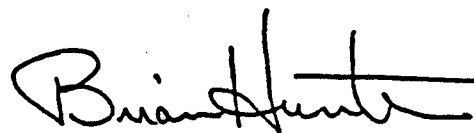
Subject: Ventana Inn Expansion; App. #3-82-171, Big Sur Coast, Monterey County

The development of McCarty Springs as a water supply for Ventana Inn could seriously impact the resident steelhead populations in Post Creek if adequate protective measures are not incorporated into the project design. A minimum of 60 gallons per minute flow throughout the reach where fish exist would be required during late summer low flow conditions. This would only be a maintenance flow necessary to protect the fish until the rainy season. Much higher volumes of water would be required throughout the rest of the year to provide adequate spawning, incubation and rearing flows. Additional studies of Post Creek would be required to determine what these flows would be.


Additionally, surface water flows should be maintained from McCarty Springs to the upstream limit of fish to maintain the riparian corridor for wildlife habitat.

The Department of Fish and Game has direct jurisdiction regarding streambank alterations or diversions of water pursuant to Section 1601-03 of the Fish and Game Code. Prior to the initiation of any work within the streambed of McCarty Springs, the applicant must notify the Department and obtain a signed agreement for the proposed work.

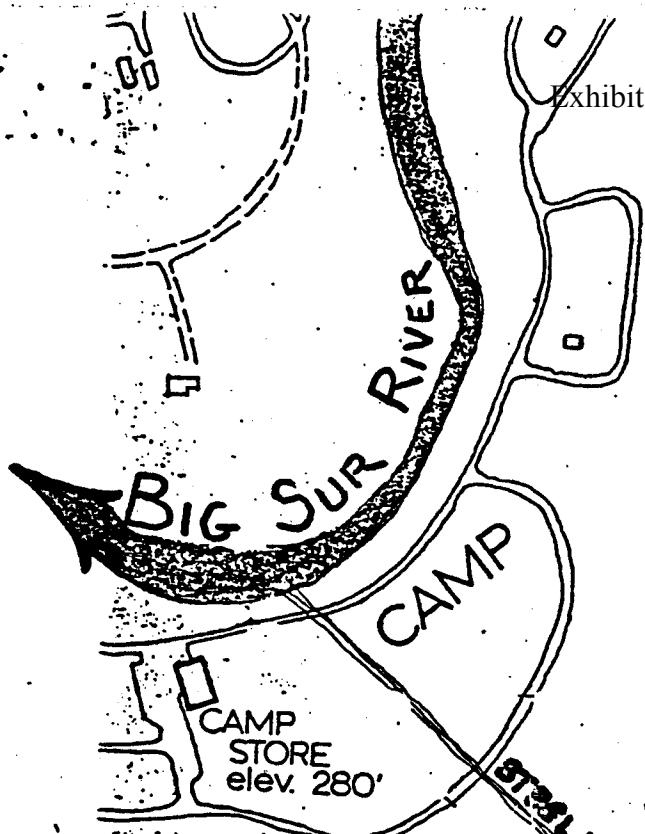
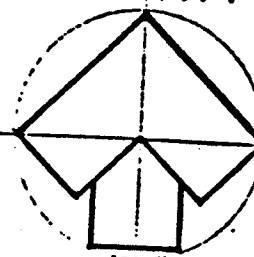
If you have any additional questions, please do not hesitate to contact Randal Benthin, Fishery Biologist at 2201 Garden Road, Monterey, CA 93940; telephone (408) 649-2870.



Brian Hunter
Regional Manager

EXHIBIT NO. 5
APPLICATION NO. 3-82-171
VENTANA DFG LETTER
 California Coastal Commission

NORTH



PFEIFFER
BIG SUR
STATE PARK

approximate location of
existing logjam

proposed "Station 1"

Property Line

Ventana Inn, Inc.

320'

420'

520'

POST CREEK

HWY I

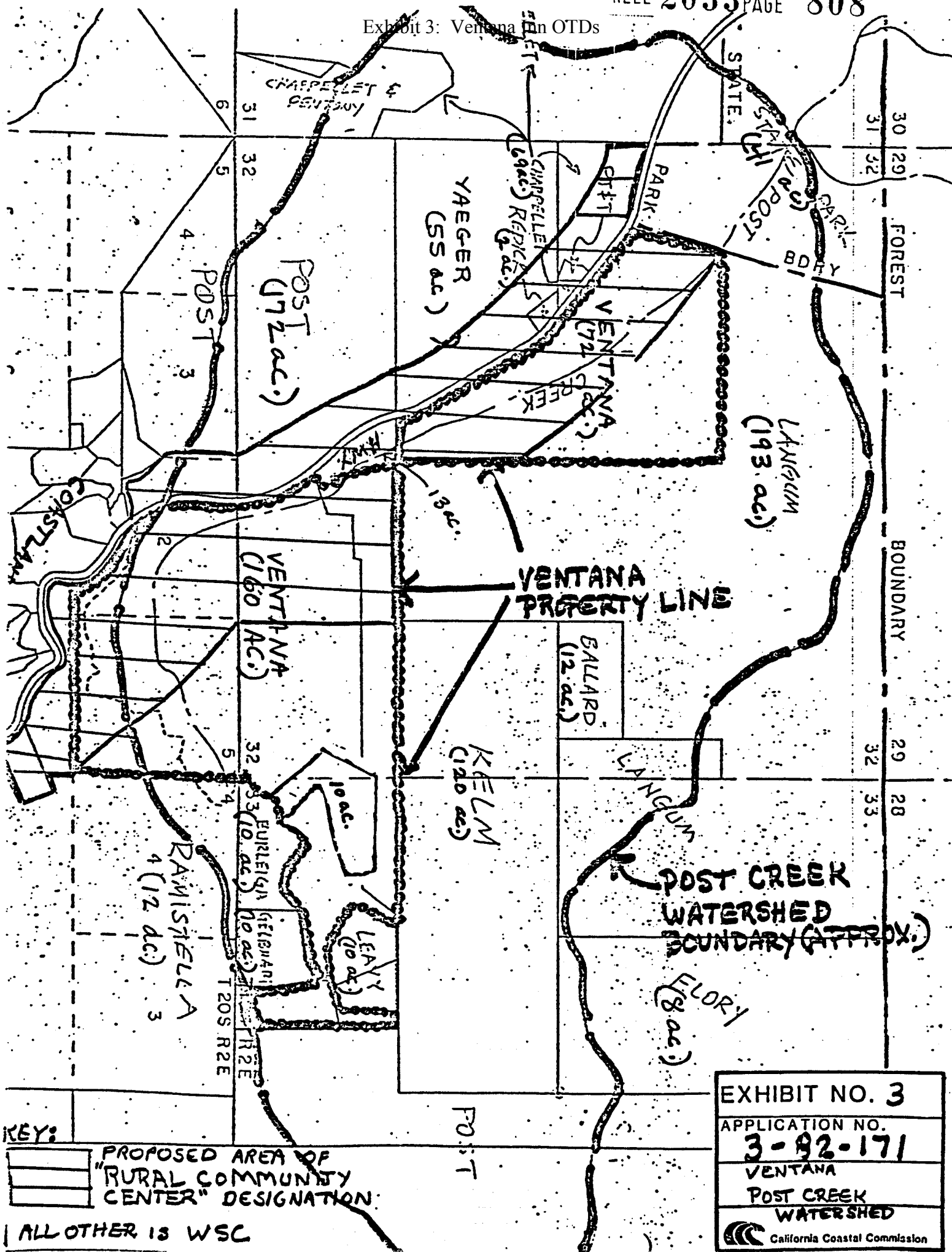
EXHIBIT NO. 4

APPLICATION NO.
3-82-171

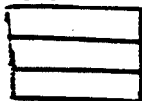
Ventana

 Fisheries Resource
California Coastal Commission

Exhibit 3: Ventana On OTDs



KEY:



PROPOSED AREA OF
"RURAL COMMUNITY
CENTER" DESIGNATION

ALL OTHER IS WSC

EXHIBIT NO. 3

APPLICATION NO.

3-92-171

VENTANA

POST CREEK

WATERSHED



California Coastal Commission

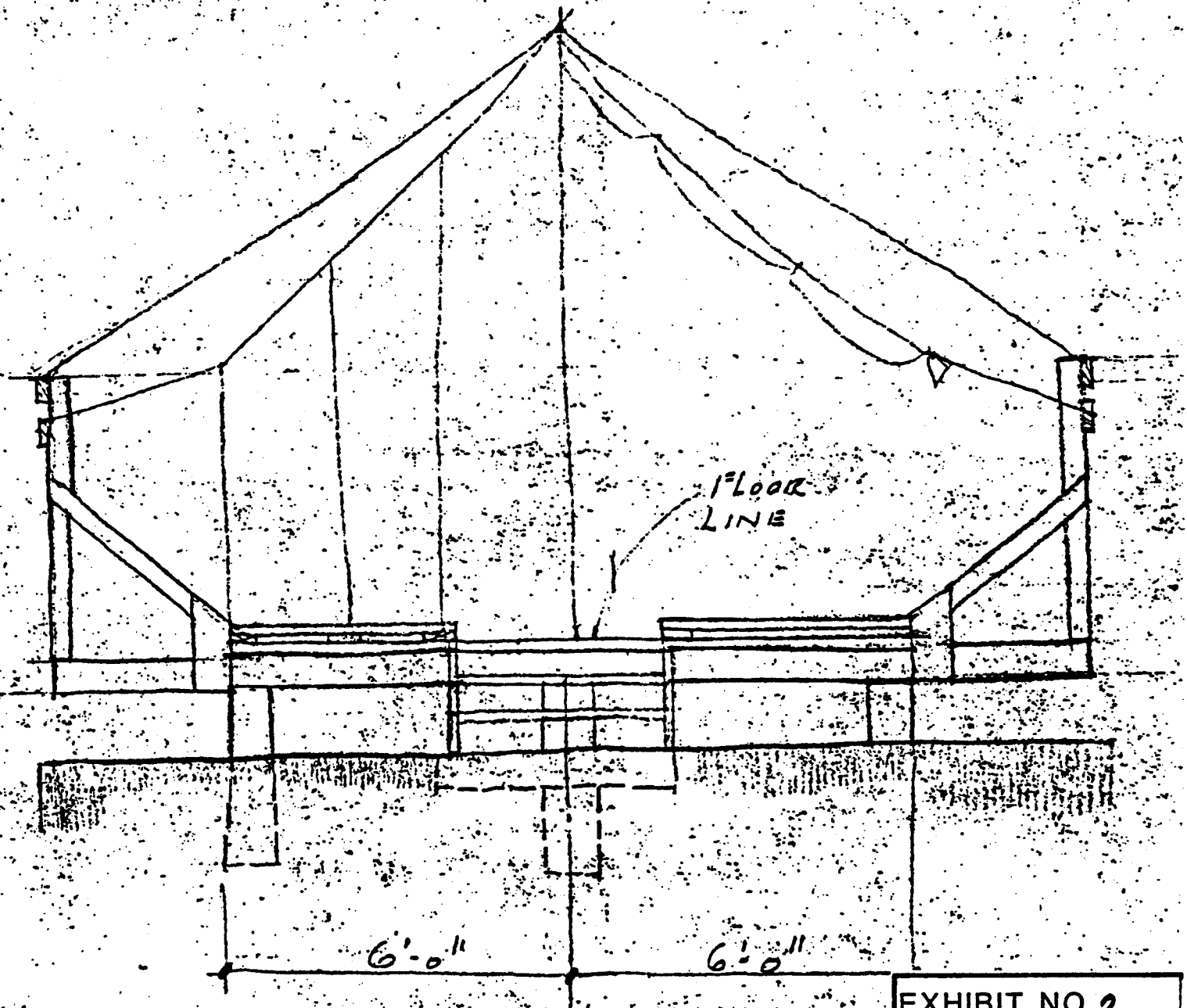



EXHIBIT NO. 2
APPLICATION NO.
3-82-171
VENTANA
TENT CABIN
 California Coastal Commission

FRONT ELEVATION

Exhibit 3: Ventana Inn OTDs

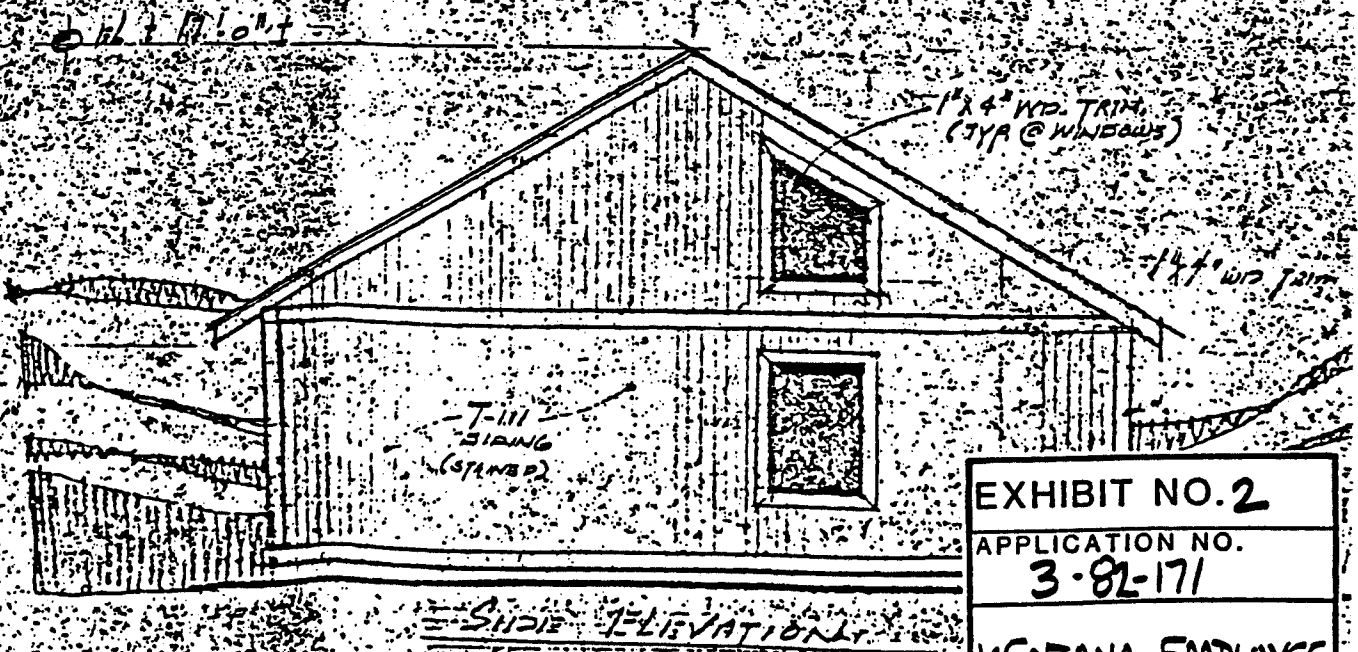
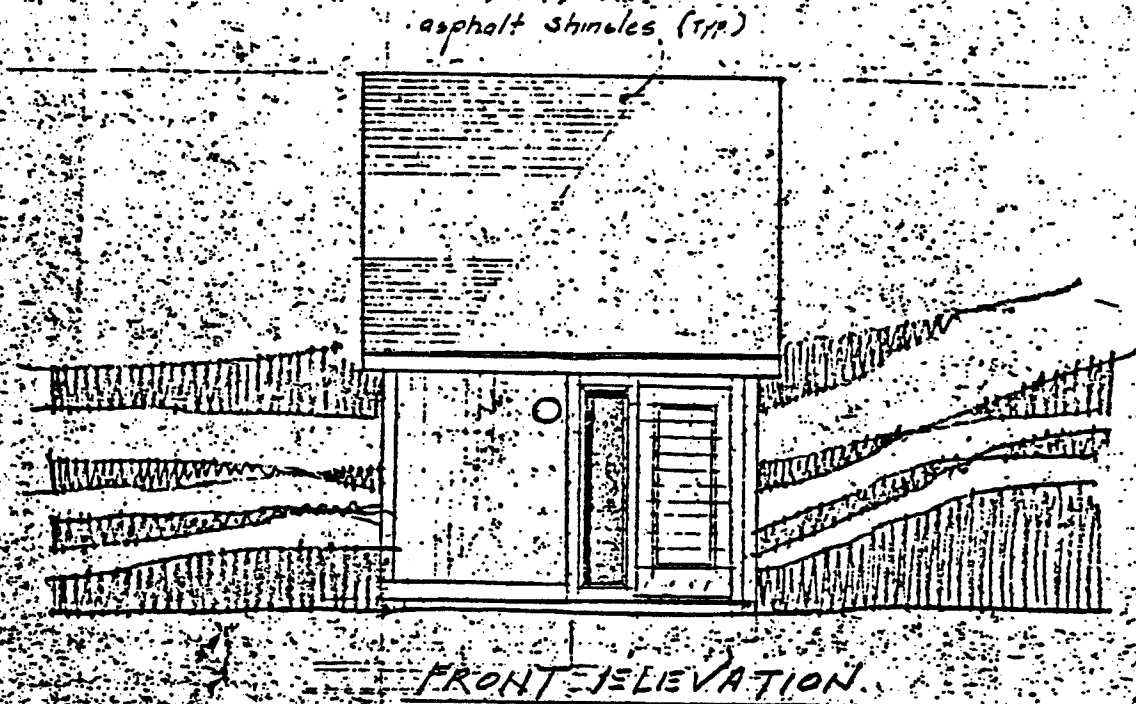


EXHIBIT NO. 2

APPLICATION NO.

3-82-171

VENTANA EMPLOYEE
HOUSING



California Coastal Commission

PLAN AND ELEVATIONS BATH HOUSE
1'-0" = 1'-0"
25 MAR 82

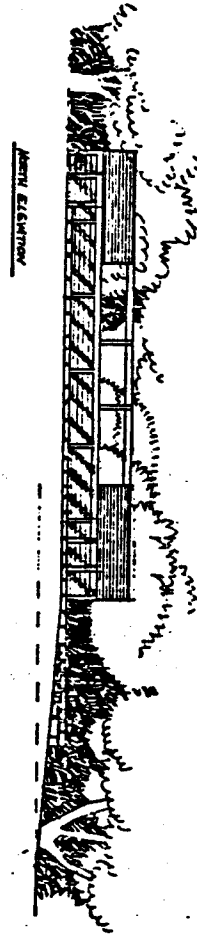
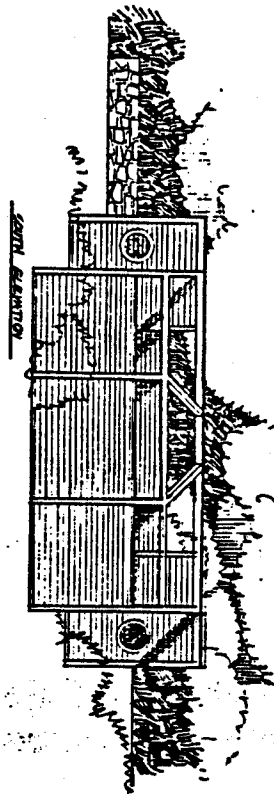
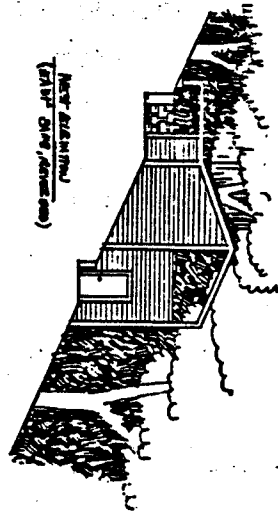
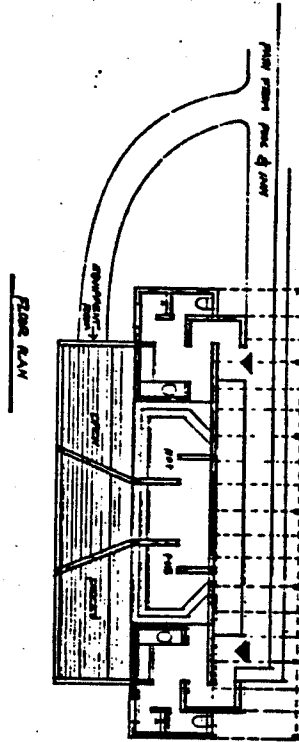



EXHIBIT NO. 10E

VENTANA INN, INC.
300 N. ALICE ST.
KIPP STEWART DESIGN
ROBERT BALMANTINE ARCHITECT
100 N. 10TH

EXHIBIT NO. 2	
APPLICATION NO.	
3-82-171 VENTANA	
BATH HOUSE	
ELEVATIONS	
 California Coastal Commission	

IFFER BIG SUR STATE PARK

REEL 2033 PAGE 812

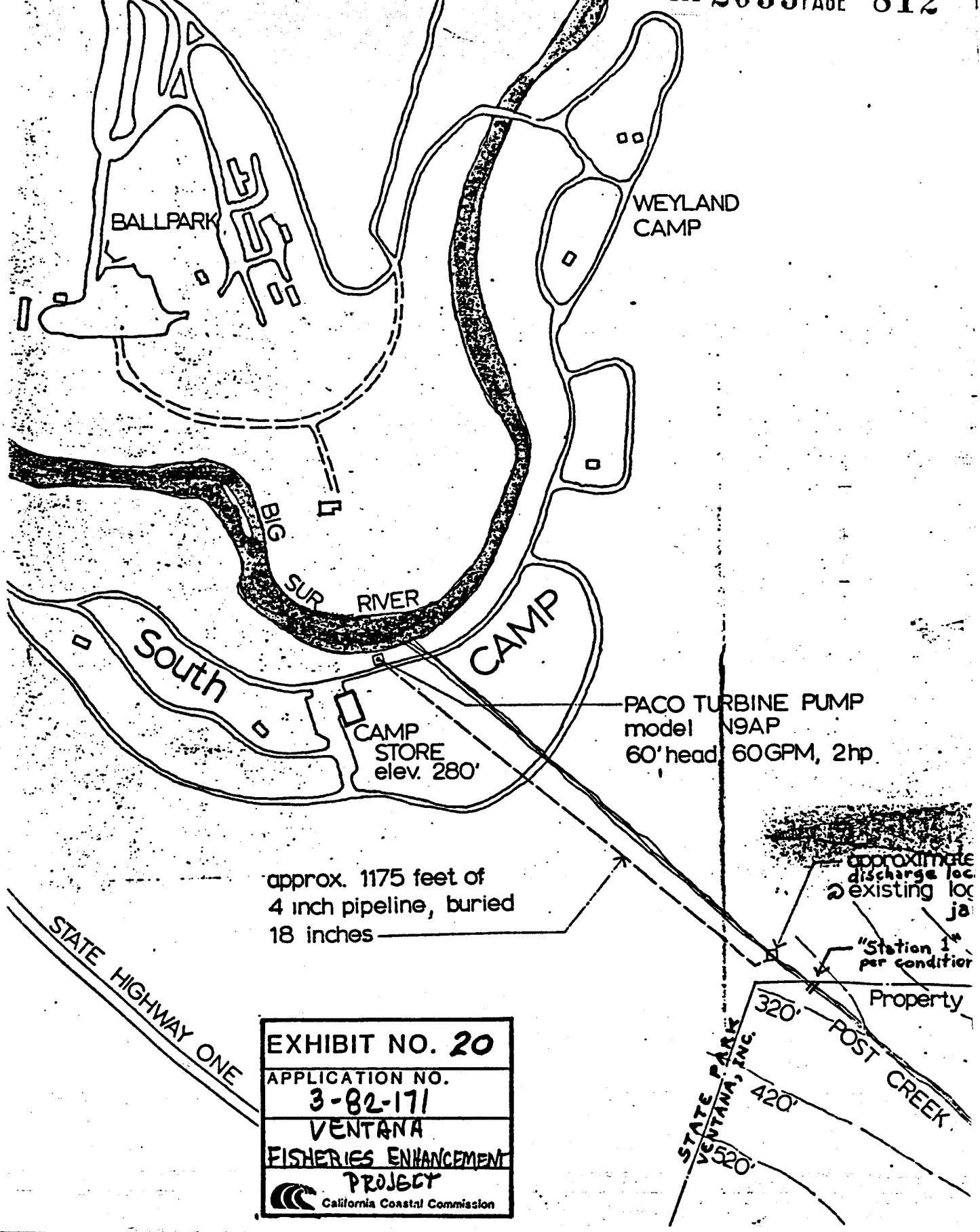



EXHIBIT NO. 20
APPLICATION NO. 3-82-171
VENTANA
FISHERIES ENHANCEMENT PROJECT
 California Coastal Commission

RECEIVED

NOV 20 1986

EXHIBIT B
JCL 5/29/86
SC

CALIFORNIA COASTAL COMMISSION
CENTRAL COAST AREA
701 OCEAN STREET, ROOM 310
SANTA CRUZ, CA 95060
(408) 426-7390 8-525-4863

Exhibit 3: Ventana Inn OTDs
FILED:
15TH DAY:
180TH DAY:
STAFF REPORT:
HEARING DATE:
STAFF:
DOCUMENT NO.:

5/23/86
7/11/86
11/21/86
5/29/86
6/10/86
JC - (SC)
0158P

ADOPTED

AMENDMENT

REEL 2033 PAGE 813

REGULAR CALENDAR

STAFF REPORT

PROJECT INFORMATION

APPLICANT: Ventana Inn, Inc.

APPLICATION NUMBER: 3-82-171-A

PROJECT LOCATION: Approximately 3 1/2 miles south of Big Sur Village,
Big Sur Area of Monterey County

PROJECT DESCRIPTION: Amendment request to amend conditions relating
to water management; to relocate the 19 inn units
and add reservation room, linen storage, reading
rooms, expand lobby; restaurant addition; modify
picnic area (Cadillac Flats); lot line
adjustment; modify recreation condition

ASSESSOR'S PARCEL NUMBER(S): 601-827-72 to 83

LOT AREA: 170 acres

ZONING: Scenic Conservation 1 du/ac

BUILDING COVERAGE: Additional:
approximately 2,500 sq. ft.

LCP JURISDICTION: Big Sur Coast
segment of Monterey County

PAVEMENT COVERAGE: N/A

PLAN DESIGNATION: Rural Community
Center; Watershed and Scenic
Conservation

LANDSCAPE COVERAGE: N/A

PROJECT DENSITY: N/A

HEIGHT ABV. FIN. GRADE: Varies

LOCAL APPROVALS RECEIVED: Planning Dept. Building Locations 8/19/85;
Lot Line Adjustment 3/28/85; Use Permit (well) 7/31/85; Use Permit
(restaurant addition) 5/8/86

SUBSTANTIVE FILE DOCUMENTS: Commission Findings and Conditions 3-82-171
(Conditions attached as Exhibit 2); Big Sur Coast Land Use Plan adopted
by Monterey County March 1986; Water Resource Management Plan for
Ventana Inn, Big Sur, April 1985; Water Resources Verification, Ventana
Inn, Big Sur, April 1985; Water Resources Operational Plan for Ventana
Inn, March 1986

PTT: 3.4

EXHIBIT B

REEL 2033 PAGE 814

STAFF RECOMMENDATION

The Staff recommends that the Commission adopt the following Resolution:

Approval with Conditions

The Commission hereby grants a permit for the proposed development amendment, subject to the conditions below, on the grounds that, as conditioned, the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

RECOMMENDED CONDITIONSStandard Conditions

See Exhibit A.

Special Conditions

1. Except as provided in the following conditions, all conditions of 3-82-171 remain in full force and effect. (See Exhibit 2.)
2. This permit authorizes the resiting of the inn units and building additions to the existing and previously approved structures; restaurant expansion; revisions to the recreational facilities at "Cadillac Flats"; lot line adjustment; amendments to the Water Management Plan; subject to the following conditions.

3. Final Plans and Local Approvals

PRIOR TO TRANSMITTAL OF THE PERMIT, permittee shall submit to the Executive Director for review and approval:

- (a) Final site, elevation and landscape plans for the inn units; building additions and parking area; and the "Cadillac Flats" picnic area and associated improvements. Monterey County local approvals shall accompany the submittals.
- (b) Final waste disposal system plan and evidence from the Monterey County Environmental Health Department that all aspects of the waste disposal system are acceptable.

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4. Use Restriction Reading/Breakfast Rooms

PRIOR TO TRANSMITTAL OF PERMIT, permittee shall submit to the Executive Director for review and approval and shall subsequently record a deed restriction that limits use of the breakfast reading rooms to that commonly associated with inn patron service, i.e., rooms will not be used for restaurant service, the preparation of and storage of food with minimal exceptions (coffee, continental breakfast) is prohibited and use is confined to inn unit patrons.

5. Use Restriction Restaurant/Bar

This permit authorizes a total dining/bar seating capacity of 140 seats. Service to more than 140 seats is not permitted.

6. Water Management Plan

Delete condition 6.b.(1) of 3-83-171 and replace with

"As part of the Conservation Plan for Resource Protection the permittee shall submit a final edition of the Water Resources Operational Plan by David Todd (March 1986) which shall include the following clarifications: (1) the Operational Plan is subject to the review of the Department of Fish and Game; (2) the use of McCarty Springs, its monitoring program, and establishment of "normal" year flows, shall be under the guidance of the Department of Fish and Game who may review impacts and set new, more or less restrictive standards, for resource protection if needed subject to Executive Director approval; (3) a defined point at which landscape watering must be discontinued to be determined in consultation with the Department of Fish and Game, subject to the review and approval of the Executive Director; (4) agreement that the Coastal Commission or the Executive Director as appropriate has review and approval authority over revisions to the operational plan.

FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

1. Project description and background.

In October 1982, the Commission approved 3-82-171 Ventana Inn expansion of 19 inn units, 15 units of staff housing and ancillary improvements. (See Exhibit 2, Commission Conditions, attached.) The permittee has constructed the 15 units of staff housing and is requesting an amendment for portions of the remaining project since "additional study, design planning and experience since the time of the original submission have suggested the desirability of these proposed changes." In addition, subsequent to Commission review of the project, the Land Use Plan for the Big Sur Coast segment of Monterey County's Local Coastal Program was conditionally approved

by the Commission in January 1986 and adopted by Monterey County in March 1986. The permittee believes the new and revised LUP, particularly as it relates to water supply and management, needs to be reviewed against the conditional requirements of the permit.

The amendment request includes: (1) the addition of linen storage room (448 sq.ft.), reservations room (312 sq.ft.), reading/breakfast room (774 sq.ft.) to existing buildings; (2) minor resiting of the 19 inn units and the addition of a reading/breakfast room to one; (3) restaurant expansion: add entry area, 30-seat dining area, move bar-lounge to replace portion of existing store; (4) the deletion of the picnic area as such and replacement with an equivalent public benefit; (5) modifications of the water management plan condition; (6) minor lot line adjustment; (7) modification to campsite conditions.

2. Revised Site Plan/ Building Additions

A revised site plan for the 19 inn units and building additions is attached as Exhibit 3. The modification combines two inn units previously remotely located near the inn restaurant with the other new units located in the meadow area. The proposed resiting would result in 5 new buildings (6, 5, 4, 2, 1 units each) and the addition of a single unit to an existing 4 unit building in contrast to a more massive 9 unit building previously approved. The permittee believes the organization is more desirable for a small inn environment. According to the permittee the modification of the building siting will not affect waste disposal leach field locations or capacity, will reduce grading since buildings are moved back from slopes, and will not affect visual resources (design is consistent with those previously approved). In addition, conditions of the current permit require soils engineering reports and Regional Water Quality Control Board approval of the wastewater disposal system.

The proposed addition of a linen storage room and a reservations room would have no significant impacts. The proposed addition of the two reading/breakfast lounges raises the issue of the use of these additions. The Big Sur Coast Land Use Plan for Monterey County approved in December 1984 limits restaurant/bar densities to prevent scenic, access, and water resource impacts. According to the permittee the breakfast reading rooms will be confined to inn patrons' use, are not intended to replace or supplement the restaurant since only minimal preparation and storage of foods (coffee, continental style breakfasts) is proposed. As conditioned to strictly limit the use of the proposed lounges, the development would not alter the intensity of use of the facility.

Therefore, as conditioned, the proposed development is consistent with Section 30250(a) of the Coastal Act which limits development to developed areas able to accommodate it and to areas with adequate public services where it will not have significant adverse impacts on coastal resources; and with the access policies of the Coastal Act.

REEL 2033 PAGE 817

3. Restaurant Expansion

The permittee proposes to expand the Ventana Inn Restaurant by converting a portion (approximately 700 sq.ft.) of the existing store to a bar, using the existing bar as a service bar, adding an approximate 600 sq. ft. dining area to the restaurant and an approximate 700 sq. ft. entry/waiting area. The total number of seats indicated on the plan is 140. (See Exhibit 5.)

According to the permittee "the addition of 19 more guest rooms requires some additional seating capacity in the restaurant for dinner. Presently when the inn is fully occupied (which is most of the time), inn guests are urged to make dinner reservations at the time of their room reservation in order to be accommodated. It is more critical during the summer when the days are longer and fewer people wish to dine early. There are presently 78 seats in the restaurant. The proposed addition will add a net of 24 seats. When there are a large number of couples wishing to dine along, it is frequently not feasible to make practical utilization of all these seats..."

The Big Sur Coast Land Use Plan Development policy 5.4.3.c.7 provides:

...Inns shall provide at least one parking space per room. Free-standing restaurants (not part of an inn) shall provide at least one space per four seats or per 100 sq.ft. of both open and enclosed dining area, whichever is greater. In addition, adequate and separate employee parking shall be provided.

New free-standing restaurant development shall be limited to the Rural Community Centers and the sites specified in Plan policy 5.4.3.E.1. The maximum size for such new restaurant structures shall be that amount of space needed for a 120-seat enclosed dining room facility. Elsewhere, restaurants shall not be larger than required to service the maximum size inn allowed on the parcel (generally, at the ratio of two seats per inn unit). Expansion of existing restaurant buildings shall be limited in scale to that which is in character with Big Sur, not to exceed a 10% expansion in area or an area sufficient for 120 dining room seats, whichever is greater..."

The LUP provides that existing restaurants may be expanded by 10% in floor area or an area sufficient for 120 seats whichever is greater. The existing dining floor area is about 5600 sq.ft., the proposed expansion is approximately 600 sq.ft., a 10.7% increase.

Under the Uniform Building Code 15 sq.ft. is needed for each restaurant seat. In this case 37 additional seats could be provided in the expansion area. The staff review of site densities under

3-82-171 showed there to be 103 restaurant/bar seats at the Ventana Inn. The largest number of seats that appear to be permissible under the LUP would be 140 seats. Though the proposed expansion into the store area technically is a floor area expansion, since the building exists no additional visual impacts will occur and seating is being moved rather than increased.

Ventana also proposes to pave and mark the two lower restaurant parking lots to make efficient use of area and increase parking. These lots are now utilized for employee parking as well as for guest parking, predominantly from visitors who drive down from the Monterey Peninsula for lunch. An existing footpath from the first parking lot will be restored and improved. Restaurant parking demand from guests in the additional 19 units should be minimal. There is now a lighted level path connecting the inn and the restaurant which has proven very popular with guests. Also the inn will provide shuttle service to and from the restaurant for inn guests, encouraging such guests to leave their car parked at the inn.

Therefore, as conditioned to require a limit on seating and submittal of final parking plans, the proposed development is consistent with Section 30250(a) of the Coastal Act which limits development to developed areas able to accommodate it and to areas with adequate public services where it will not have significant adverse impacts on coastal resources; and with the access policies of the Coastal Act.

4. Lower-Cost Recreational Facilities

Section 30213 of the Coastal Act provides that lower cost visitor and recreational facilities shall be protected, encouraged, and where feasible, provided. Developments providing public recreational opportunities are preferred. Section 30233 requires that upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible. Section 30210 provides that maximum public access be provided for all the public.

As approved, the permittee's project provided higher cost visitor facilities - inn units, and lower cost visitor facilities in the form of a public picnic area and 27 campsites or an equivalent benefit (19 as comparable to inn unit number and 8 to offset loss of campsites to be displaced by employee housing). The permittee is currently working closely with the State Department of Parks and Recreation to provide improvements to Andrew Molera State Park in Big Sur rather than campsites at Ventana. Since an "equivalent benefit" is already allowed under permit conditions, no amendment is required for this item.

The permittee also requests a modification to the picnic area proposal to delete restrooms and picnic tables. The site would be landscaped and unpaved or crushed rock parking provided for use for public viewing and as a parking area for hikers and backpackers of

the area. According to the permittee Monterey County requires full service restrooms for a picnic area. The cost for maintenance and in water use would be prohibitive according to the permittee. The area (Cadillac Flats) is now used as a staging area for fire fighting as needed; this use would remain available with the minimal proposed improvements. As an alternative to the restroom/picnic area, the permittee will contribute the cost of the improvements to the State Parks. He will also provide map displays and access signs for the public. These alternatives are acceptable equivalents to the original proposal.

Therefore, as conditioned, the proposed amendment to delete the picnic area but provide equivalent alternative low cost public recreational/access benefits is consistent with the public recreation and access policies of the Coastal Act.

5. Lot Line Adjustment

The amendment request adjusts boundaries between a 160 acre parcel and a 10 acre parcel, both owned by Ventana (Exhibit 6 attached). Currently the 10 acre parcel contains a residence and several of the Ventana campsites. The adjustment locates the campsites on the 160 acre parcel with the rest of the campground and transfers an equivalent area (within a scenic easement) to the parcel with the residence. The adjustment does not create new building sites or alter the density potential of the area; and, therefore, conforms to Coastal Act policies which protect coastal resources from the impacts of overuse.

6. Water Resources

Section 30231 of the Coastal Act protects coastal marine resources and Section 30250(a) requires that new development have adequate public services and not contribute individually or cumulatively to impacts on coastal resources.

Post Creek Watershed

The findings for 3-82-171 (Substantial File Document, available upon request) provided a detailed analysis of the water use and supply situation for Ventana Inn from the data available at that time. The facility is located in the Post Creek Watershed, tributary to the Big Sur River. It is a small watershed (1.36 sq.mi.) and Post Creek and the Big Sur River itself provide the only significant steelhead habitat in the Big Sur watershed. Seasonal variations in streamflow have important impact on stream biota. The Post Creek watershed has a history of water supply problems; water diversions in the watershed represent a near total commitment of all available water within the driest part of the year. During the drought of 1976 only 12.1 gpm flowed into the Big Sur River from Post Creek. The Department of Fish and Game determined that a minimum of 60 gpm flow throughout the steelhead spawning area (900 feet of the lower reaches of the creek) is needed for habitat protection.

Draft Land Use Plan

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The Draft Big Sur Coast Local Coastal Program Land Use Plan (used for analysis of the project) identified the protection of stream flows and water quality as a basic prerequisite to the protection of all other natural systems. Adequate water must be "retained" in the stream system to provide for the maintenance of the natural community of fish, wildlife and vegetation during the driest expected year. (3.4.1 Key Policy). To achieve this, comprehensive water management would be necessary to assure sufficient water for competing uses with sufficient reservation to protect habitat.

Specific policies prohibited use of groundwater sources and transfer of water between watershed; gave special protection to anadromous fish streams; did not allow intensification of water use in Watershed Restoration Areas, i.e. Post Creek watershed, without demonstrating environmental acceptability of cumulative impacts; and, for Post Creek allowed development with the provision of a water management plan which established levels of water withdrawal which could occur consistent with the basic requirements of protection and enhancement of the stream's natural resources; additionally, land use development activities are not permitted that have the effect of diminishing surface flows in coastal streams to levels that will result in loss of plant or wildlife habitat.

Adopted Big Sur Coast Land Use Plan

Subsequent to the approval of permit 3-82-171 the Commission approved with modifications (January 1986) the Big Sur LUP. The previous, unadopted LUP had, based on earlier work and background reports, cautioned the County to minimize reliance on groundwater resources; and the water resource policies had, therefore, advocated stream and spring diversions rather than wells as a water source. In contrast, newer information indicated that in general the low intensity of future development in Big Sur in comparison to its relatively high rainfall totals can be expected to maintain a positive groundwater recharge rate. Therefore, the LUP policies as approved by the Commission required the avoidance of diversion of surface water sources and emphasize the use of groundwater wells. These modifications were adopted by Monterey County in March 1986.

The adopted policies require:

3.4.3.B-6 "Priority for Wells Over Surface Water Diversions: Where groundwater is available on the site, developments for the purpose of diverting surface water sources -- perennial streams and springs that feed perennial streams--shall be avoided. Wells and infiltration fields located within or near a stream channel so as to tap stream sub-flow rather than groundwater will be considered as stream diversion structures for the purposes of this policy..."

3.4.3.B-7 "No substantial water use intensification (e.g., residential subdivision with potential to increase number of households; residential or inn development of more than one unit; restaurant, bar or other food service development or expansion; recreational vehicle campground; development for commercial irrigated agriculture shall proceed without specific verification that adequate water supplies are available, and that the proposed development will not adversely affect, cumulatively or individually, existing water supplies needed for the maintenance of riparian vegetation and anadromous fisheries, or the supply needed by existing users during the driest expected year. Such verification shall be supported by a report, prepared by a qualified professional hydrologist on the basis of well logs, stratigraphic profiles, and technical data as needed. The County shall consult with Department of Fish and Game as to the adequacy of the report before allowing water use intensification; and, if necessary, may at the applicant's expense engage the services of an appropriate independent expert to review the report as well. In the case of water withdrawals from streams and springs, water use shall be monitored and maximum use levels shall be consistent with instream flow requirements."

Permittee's Water Information Analysis for 3-82-171

The permittee's water sources were Post Creek and its tributary springs and a well located near its restaurant. The well failed, was redrilled, and estimated to provide 17,000 gpd. A hydrological study indicated this well did not tap Post Creek surface supplies. The permittee prepared a watershed study that analyzed water supply (average 37,930 gpd; drought 36,200 gpd) and demand for the overall watershed (current 37,500 gpd; buildout 84,000 gpd) and Ventana's own water supply and use and its relationship to stream flow. Ventana found that (a) total water consumption for the expanded inn would be 32,000 gpd (22.2 gpm); current use was 25,000 gpd; (b) on-site water sources were sufficient to supply the Inn's needs with adequate water remaining for the natural system except in severe dry conditions; (c) Strict conservation measures including a reduction in water consumption and use of ground water could assure the minimum stream flow of 60 gpm established by the Department of Fish and Game as needed to protect fishery resources during most dry periods.

The permittee acknowledged potential drought year supply problems and recommended: "that Monterey County and the Coastal Commission should require all applicants for development permits to adopt water conservation programs, including: 1) installing of low-flush toilets, shower restrictors and restrictions on non-native landscaping; 2) require use of grey water systems for landscape irrigation when acceptable by Monterey County Health Department; 3) public education regarding water use; 4) special conditions

regarding operations during a severe drought, including Ventana Inn's proposal to install a pump system in the lower reaches of Post Creek which will deliver water from the Big Sur River to the steelhead spawning grounds; and 5) all applications for new developments should be required to implement a conjunctive water use program during drought years. During normal rainfall years there appears to be no need to impose water use restrictions other than normal water conservation practices, plus monitoring of water consumption. During drought years strict water conservation programs, conjunctive use programs, habitat protection proposals and as a last resort, closing of visitor serving facilities should be required of property owners."

Commission Conditions Applied to 3-82-171 and Permittee's Requested Amendment

The conditions applied to the Ventana expansion permit considered many of the applicant's recommendations. However, because the Post Creek watershed was an acknowledged water short area with an anadromous fisheries resource and since the Land Use Plan policies prohibited use of groundwater, the intensification of water use was to be permitted based only on conditions restricting use of the surface flows to zero after the stream fell to a level (60 gpm as determined by the Department of Fish and Game) that would threaten the survival of the habitat.

Condition 6.a. required collection of data on stream flows and Ventana water use.

Condition 6. b. Conservation Plan for Resource Protection required:

(1) When Post Creek stream flow drops to 112 gpm as measured at Station 1 (Pfeiffer Big Sur State Park), permittee shall commence and incrementally effect additional water conservation measures which shall correlate water use with stream flow so that before surface flow at Station 1 is reduced to 60 gpm, all diversions under permittee's control (excepting obligatory supply to offsite residential structures) shall cease and permittee will rely solely on groundwater source (i.e., restaurant well). The water conservation measures and correlated reduction in use shall be submitted as part of this plan.

Results of Data Collection

Following permit approval the permittee began a monitoring program. The permittee submitted a Water Resource Management Plan (April 1985) and a Water Resources Verification Report (David Keith Todd, Consulting Engineers, Inc., April 1985) which detailed monitoring and water supply information to that date. Subsequently, after an additional year of monitoring a final Water Resources Operational

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Plan (March 1986) was submitted. The reports conclude there is ample water supply for Ventana expansion and the water demand will have minimal impact on neighbors and the environment. Since the approval of the LUP reduced "Rural Community Center" designations in the watershed, the permittee concluded there will be no additional inn units in the area. (Staff concludes that areas of Rural Community Center designations do remain but optional sources of water are available to them.) The permittee revised actual and potential demand estimates for the watershed to 47,275 gpd summer current (was 37,750) and 62,275 gpd at buildout (was 84,000). The Ventana Inn use was 31,275 gpd (at capacity); its currently projected buildout use is 38,880 gpd; (Ventana previous projection 32,000; Commission staff previous projection 36,113).

In monitoring Post Creek flows Ventana found that at Station 1 (Exhibit 7, attached) in the lower reaches of Post Creek flows were lower during the summer months than in the upper reaches. This is accounted for by the underlying strata which is bedrock in the upper elevation and an alluvial plane of sand near the Big Sur River. According to the permittee adherence to condition 6.b. would have required the complete closure of the Inn from August through November of 1984 (a year when total rainfall was only modestly below normal). The restaurant well which was to be the major water source was not reliable and in any case was too close to the waste disposal system to assure water quality and was abandoned at the direction of Monterey County. A replacement well installed near the campground is 150 feet deep and separated from surface subflows by rock has a sustained yield of 7 gpm.

Hence, the permittee requests an amendment (see Exhibit 3, attached) to the permit conditions to institute a conjunctive use program to place maximum and primary dependence in summer months on groundwater sources: the campground well (7 gpm), well adjacent to water tanks (3 gpm), and a proposed third well (est. 7 gpm) to be drilled upstream from the campground well and in the same geologic strata. According to Dr. Todd's report abundant groundwater is available from aquifers that will not affect the Post Creek flow. Consultation with the Department of Fish and Game finds that for compliance with the Big Sur River Watershed Management Plan (incorporated by reference into the Big Sur Land Use Plan) that groundwater is the appropriate non-rainy season water source for the facility.

Surface Sources

In winter months well sources will recharge and primary dependence will be placed on surface sources with strict limitations on maximum use. The permittee proposes to use up to 27 gpm of Post Creek flows but never more than 25% of the measured flow at Ventana campground monitoring station. As a secondary source, the permittee requests the use of McCarty Springs, a major contributor to the lower reaches of Post Creek.

In 1979 under Appeal #445-68 the State Commisison approved 16 of a requested 36 unit expansion requiring a Water Resource Management Plan with development of McCarty Springs and its use as a backup water source limiting to an amount that would not in anyway harm the natural vegetation below the spring. The Department of Fish and Game allowed Ventana 50% of the normal flows. In 1980 under Appeal #180-80 the State Commission overturned a regional commission approval of an additional 20 units concluding that "allowing additional water withdrawals from Post Creek or using McCarty Springs at this time would have adverse cumulative effects on water availability". Ventana developed the spring in 1983 based on the position that they were required to do so under the conditions of their previous coastal permit. However, the spring has not been used as a water source.

The permittee proposes a maximum allowable usage of 6 gpm (half of the lowest flow recorded in the last two years), not to exceed 50% of the total flow at any time. Dr. Todd's Water Resource Verification study finds that McCarty Springs is a remarkably constant water source - measurement during the drought in October 1977 was 12 gpm; measurement in a non-drought year, October 1984, was 14.4 gpm - and it is likely that the spring drains a large underground storage volume.

Other Measures

In addition, the permittee proposes a monitoring program which continues its current water source and usage data collection and adds shallow monitoring wells along the creek to determine groundwater levels and slopes, and yearly or as needed professional surveys of flowing water, moisture and status of riparian vegetation. The monitoring will be accompanied by annual reporting and options for the revision of the operational plan on a mutually agreed basis. Water conservation practices and education will be continued and landscape irrigation will be curtailed during drought periods. The steelhead spawning ground enhancement plan that will pump Big Sur River water to the lower reach of Post Creek "as required" to maintain a minimum flow of 60 gpm over the beds will be implemented.

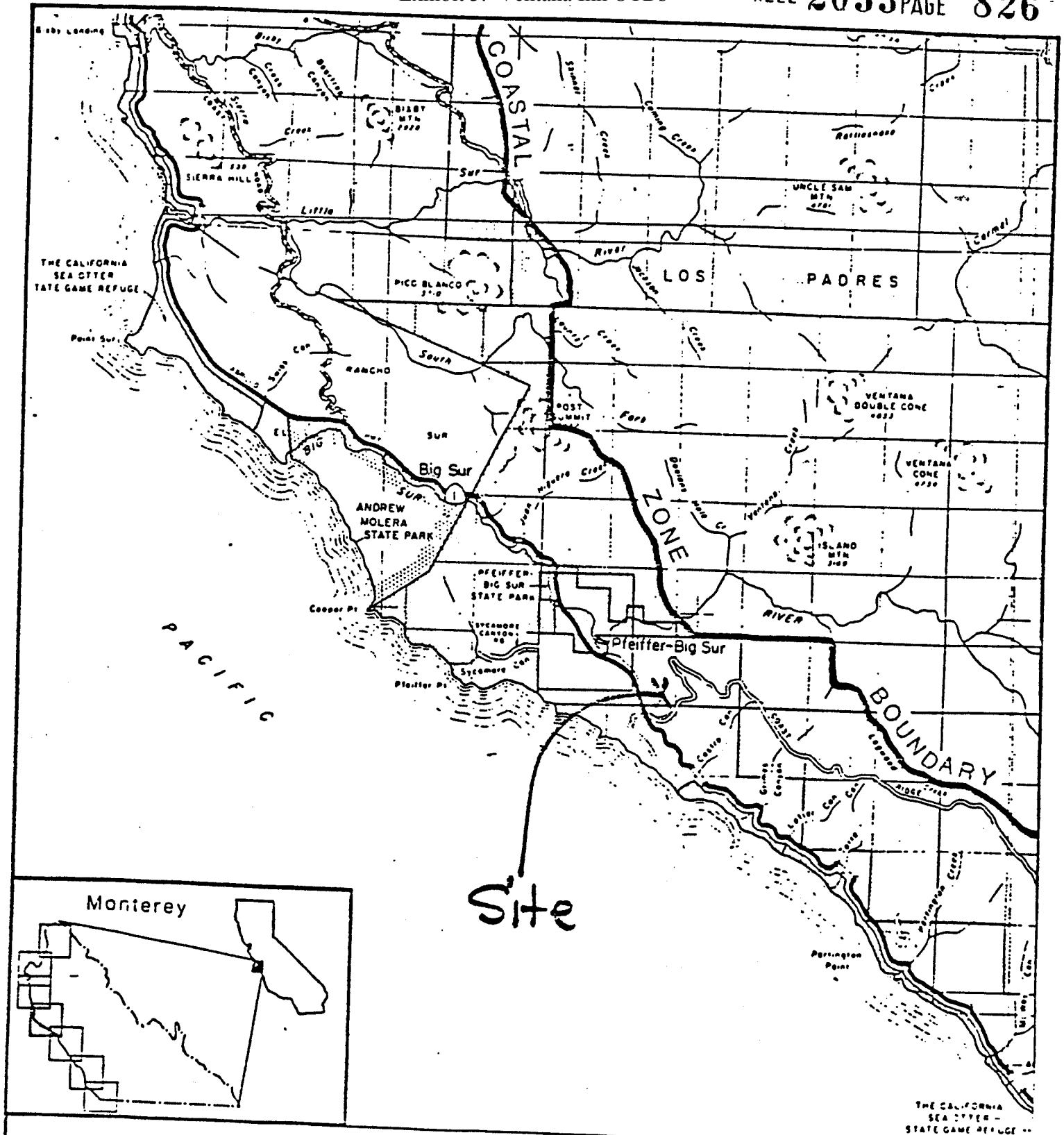
The Water Resources Operational Plan for Ventana Inn provides for water resource protection as it builds the data base necessary to understand the watershed. Though the plan allows for some use of surface flows, the overall effect will be a reduction in use of surface sources during the season of low flows and is generally consistent with the intent of the Land Use Plan and Coastal Act policies which protect water resources and environmentally sensitive habitats. However, conditions are needed to clarify particular aspects of the plan including (1) the requirement that the use of McCarty Springs be approved and accompanied by a monitoring program

under the guidance of the Department of Fish and Game to establish "normal" year flows, review impacts, and set new standards (which could be more restrictive) if needed; (2) a professionally defined point at which landscape watering must be discontinued; (3) agreement that the Coastal Commission has review and approval authority over revisions to the operational plan.

Therefore, as conditioned the proposed amendment development proposal is consistent with protection of marine and riparian resources in accord with Sections 30231 and 30240 of the Coastal Act. In a reduction in the use of surface flows, the permittee's proposed conjunctive use proposal with emphasis on groundwater sources during dry period and surface sources during wet seasons, is consistent with the intent of the Land Use Plan and the water resource policies of the Coastal Act.

6. LCP

As conditioned to mitigate significant adverse impacts, the proposed development amendments will not prejudice the ability of the local government to complete a Local Coastal Program in conformance with Chapter 3 of the Coastal Act. Potential significant environmental effects within the meaning of the California Environmental Quality Act can be mitigated through the measures required by the conditions of this permit.



LOCATION MAP

County of Monterey

3-82-171
Ventana

EXHIBIT NO. 1a.
APPLICATION NO.
3-82-171A VENTANA



California Coastal Commission

CALIFORNIA COASTAL COMMISSION
CENTRAL COAST DISTRICT
701 OCEAN STREET, ROOM 310
SANTA CRUZ, CA 95060
(408) 426-7390 ATSS: 8-529-2304

Exhibit 3: Ventana Inn OTDs FILED: 7/7/82

49th DAY: 8/25/82 (time waived)

180th DAY: 1/5/83

STAFF REPORT: 9/20/82

HEARING DATE: 10/13/82

STAFF: Joy Chase/ja/lt/cw

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ADOPTED

REGULAR CALENDAR

PROJECT DESCRIPTION

APPLICANT: Ventana Inn, Inc.

PERMIT NO: 3-82-171

PROJECT LOCATION: Approximately 3½ miles south of Big Sur Village,
Big Sur area of Monterey County.

PROJECT DESCRIPTION: Construct 19 inn units, swimming pool, bath house,
restaurant, kitchen addition, picnic area, 15 employee housing units,
recreation building, ancilliary trail, parking, and septic systems; remodel
Post Homestead into store and staff apartment; convert 15 campsites to tent
cabins; pave portion of Coast Ridge Road.

LOT AREA: +170 acres

ZONING: Scenic Conservation 1 unit/acre

BLDG. COVERAGE: New: 20,500 sq. ft.

PLAN DESIGNATION: Rural Community Center;
Watershed and Scenic Conservation

PAVEMENT COVERAGE: New: 31,000
sq. ft.

PROJECT DENSITY: 1 unit/.91 acres (59 Inn,
34 staff, 92 campsites; 1 SFD)

LANDSCAPE COVERAGE: New: 3,000
sq. ft.

HEIGHT ABV. FIN. GRADE: Varies

LOCAL APPROVALS RECEIVED: Use Permit #2605 (1/11/78) - amendment (11/6/81);
Use Permit #ZA-4896 (4/16/82); Use Permit #2869 (5/21/81).

SUBSTANTIVE FILE DOCUMENTS: Coastal Permit files P-78-396, Appeal 445-78 and
amendments; P-80-125; Appeal 180-80; 3-82-36. EIR, Sept. 1977;

McCarty Springs EIR, July 1979; Water Management Plan, July 1980;

Post Creek Watershed Study, March 1982; Monterey County Big Sur Land
Use Plan as approved by the Commission, September 1981.

EXHIBIT NO. 2

APPLICATION NO.

3-82-171 A

REEL 2033 PAGE 829

RECOMMENDATION

The Staff recommends that the Commission adopt the following Resolution:

Approval with Conditions

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that, as conditioned, the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

SUGGESTED CONDITIONSApproved Development

- 1.a. A Coastal Development permit is hereby granted for the restaurant kitchen expansion improvements.
- 1.b. A Coastal Development Permit is hereby granted for the employee housing subject to Regional Water Quality Control approval of the Wastewater disposal system.
- 1.c. This portion of the coastal development permit authorizes the construction of 19 inn units, 15 staff units, picnic area improvements and all related or required improvements pursuant to the following conditions, except that the staff recreational building is not permitted at this time.
- 1.d. Any future development on any of Ventana's parcels including new tent cabins, or closure of any facilities shall require an amendment request.

Construction Schedules

2. PRIOR TO ISSUANCE of permit, permittee shall submit to the Executive Director for review and approval a construction schedule and operation plan for all aspects of the development. The scheduling shall provide that:

- a. No site grading 100 cubic yards or more, shall take place between November 15 and April 15. The contractor shall submit interim stabilization measures to minimize erosion during the construction period for all areas of disturbance.
- b. Employee housing shall be constructed prior to or concurrent with the inn units but in any event shall be available for occupancy prior to occupancy of the inn units.

EXHIBIT NO. 2
APPLICATION NO.
3-82-171A
CONDITIONS OF

3-82-171

VENTANA INN, INC.

Page 3

Lower Cost Recreational Facilities and Trails

3. Within 180 days of the effective date of this permit, permittee shall provide a timetable for processing and within one year of the effective date of the permit shall have completed construction of 19 campsites or their equivalent.

This lower cost facility shall have received all necessary approvals and shall be consistent with the requirements of the Big Sur Coast Land Use Plan and shall be located in the Big Sur Valley area. Plans, including location, waste disposal, management responsibility, and construction timing, shall be submitted for Executive Director review and approval. The Executive Director may determine that a separate coastal permit is required for the facility if located off-site. However, no separate permit will be required if the facility constitutes a walk-in campground located on the 72 acre parcel.

4. Prior to occupancy of the approved inn units, the permittee shall provide:

a. Plans for the picnic area showing sanitation facilities including water and restrooms (may be chemical toilets). The plan shall be accompanied by Monterey County Planning and Health Department approval and an installation schedule.

b. Plans for eight campsites to replace those lost to employee housing (may be added to the 19 lower-cost units, condition #3 above).

5. PRIOR TO ISSUANCE of permit, the Executive Director shall certify in writing that the following condition has been satisfied. The permittee shall execute and record a document or documents in a form and content approved by the Executive Director of the Commission irrevocably offering to dedicate to a public agency or a private association approved by the Executive Director, the following easements for public access and recreation:

a. A coastal lateral access pedestrian and equestrian easement the length of the permittee's properties from the northern property boundary to the southern property boundary. Except for minor modifications to avoid existing or permitted structures, such easement shall be 25 ft. minimum in width and shall be designed to connect Pfeiffer-Big Sur State Park to the proposed Ventana picnic area and Coast Ridge Road in a manner which avoids exposure of pedestrians to traffic on State Highway Route 1. Wherever physically feasible, the easement shall also be designed to allow trail location on a separate alignment where parallel to the Ventana campground/restaurant entrance road(s), and to allow connection with future coastal lateral access easement, if any, which may be located on lands adjacent to the southern-most boundary of permittee's southernmost parcel.

EXHIBIT NO. 2
APPLICATION NO. 3-82-171 A
CONDITIONS OF 3-82-171

3-82-171

VENTANA INN, INC.

Page 4

b. A pedestrian and equestrian easement on Coast Ridge Road at all locations where such road is located in whole or in part within the permittee's parcels. In lieu of executing a new easement, permittee may submit any existing U.S. Forest Service easement or easements prepared to satisfy County of Monterey permit conditions, provided that the Executive Director determines that such submittal carries out the intent to provide public access in an equivalently effective manner. The location of these easements shall be consistent with the approved LUP and the Commission's/Conservancy "Standards and Recommendations for Coastal Access".

Such easements shall be free of prior liens or encumbrances except for tax liens. While the easements may be subject to reasonable conditions to provide for the operation and maintenance of a pedestrian/equestrian trail, the easement shall provide that no signs or barriers shall be erected or retained which would cause the visitor to believe the trail(s) to be closed to public use (an exception for extreme fire danger or other officially declared emergency should be indicated).

The offer shall run with the land in favor of the people of the State of California binding successors and assigns of the permittee and future landowners. The offer of dedication shall be irrevocable for a period of 25 years, such period running from the date of recording.

Water Resources

6. PRIOR TO ISSUANCE of permit, permittee shall submit to the Executive Director for review and approval a comprehensive Project Water Monitoring and Management Plan which includes the following:

a. Data Collection Program

(1) Stream flows in Post Creek shall be monitored on a regular basis throughout the year at several locations in the Watershed in order to begin building a sound data base on water availability and current diversion. This will be accomplished through use of temporary or permanent weirs placed in the streambed at various locations established by a qualified hydrologist, State Department of Fish and Game and the Commission. But at a minimum, one weir shall be installed above the log jam at the north property line of permittee's northern parcel, hereafter called Station 1. Weirs shall be in place as early as possible in compliance with Department of Fish and Game authorizations. Stream flows shall be monitored and recorded on a regularly scheduled basis agreed upon by the permittee, the hydrologist, Department of Fish and Game, and the Commission.

(2) Water consumption by major use categories, i.e., campgrounds, employee housing, etc., shall be metered. Water use readings shall be recorded at the minimum, at the same time as the stream flow measurements.

EXHIBIT NO. 2
APPLICATION NO. 3-82-171A
CONDITIONS OF 3-82-171A

Exhibit 3: Ventana Inn OTDs

3-82-171

VENTANA INN, INC.

Page 5

(3) Water supply facilities shall be metered to provide quantitative data on individual sources, i.e. Post Creek, Campground Spring, Well, Redwood Springs, and data shall be recorded, at the minimum, at the same time as the stream flow measurements.

b. Conservation Plan for Resource Protection

(1) When Post Creek stream flow drops to 112 gpm as measured at Station 1, permittee shall commence and incrementally effect additional water conservation measures which shall correlate water use with stream flow so that before surface flow at Station 1 is reduced to 60 gpm, all diversions under permittee's control (excepting obligatory supply to off-site residential structures) shall cease and permittee will rely solely on groundwater source (i.e. restaurant well). The water conservation measures and correlated reduction in use shall be submitted as part of this plan.

(2) All plumbing fixtures, new and old, for the full site shall be fitted with water conservation fixtures which restrict flow of water. Permittee shall submit an inventory of units and identify compliance features. In addition, for campground facilities, all showers and faucets shall be equipped with automatic shut-off devices to minimize waste from faucets being left on.


c. Fishery Resource Enhancement Program

Within one year of the effective date of this permit, and in accordance with the development plan submitted, permittee shall construct, maintain, and operate pipeline and pump from the Big Sur River to protect the steel-head spawning area of Post Creek in accordance with the recommendations of the Department of Fish and Game and in accord with any requirements of the California Department of Parks and Recreation. Unless otherwise designated by the Department of Fish and Game, system capacity shall be adequate to provide a sustained flow of at least 60 gallons per minute over the spawning bed. Permittee shall expeditiously pursue the processing of necessary permits and authorizations from these agencies and shall regularly apprise the Commission of their progress.

d. Permittee shall record a deed restriction agreeing to permanently follow this monitoring and management plan.

e. Post Creek Watershed Management Plan

Permittee shall record a deed restriction agreeing to cooperate and participate in the Post Creek Watershed Management Plan formation and implementation as finally developed under the Local Coastal Program.

EXHIBIT NO. 2
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CONDITIONS OF 3-82-171
 California Coastal Commission

Scenic Resources

REEL 2033 PAGE 833


7. PRIOR TO ISSUANCE OF PERMIT, permittee shall submit a proposal for modification of the existing scenic/open space easement as may be necessary for the protection of scenic resources on the permittee's property, to provide for the protection of the viewshed as seen from State Highway Route 1. Such modified easement shall be free of prior liens or encumbrances, except for tax liens. Permittee shall submit for Executive Director, Attorney General, and Grantee review and approval, the terms, conditions and consent of grantee for the modified easement, prior to recording. The modified easement shall be recorded with the County Recorder prior to occupancy of the inn units.

The modified easement shall include provisions to prohibit grading and other development; to prevent disturbance of native trees, groundcover and wildlife; to prevent damage by excess concentrations of livestock; and to provide for maintenance needs. Exceptions may be included for any development sites hidden by natural land forms or native vegetation; for further improvements along the Highway 1 frontage from Post Homestead through the old entrance road location; and for any developments constructed pursuant to this or prior coastal development permits.

An alternative approach (such as recordation of deed restrictions or covenants) insuring with equivalent effectiveness the protection of the public interest in maintaining undamaged scenic vistas as seen from State Highway Route 1, may be accepted in lieu of a scenic easement, subject to prior review and approval by the Executive Director.

8. Within 180 days of permit issuance, permittee shall submit for Executive Director review and approval landscaping plans emphasizing natural and drought resistant species and showing maximum feasible screening for those improvements potentially visible from State Highway Route 1 (parking lot, crib wall). Permittee shall not install new exterior lighting in any location where the light source is directly visible from State Highway Route 1.

9. Prior to surfacing of lower Coast Ridge Road, permittee shall submit for review by the Executive Director an evaluation of alternative techniques for effectively stabilizing the road surface. Emphasis shall be placed on methods which would harmonize with the rural character of the area. Final selection of surfacing method and materials shall be subject to approval by the Executive Director. Safety signing shall also be provided subject to Executive Director review and approval.

EXHIBIT NO. 2
APPLICATION NO. 3-82-171A
CONDITIONS OF 3-82-171
 California Coastal Commission

3-82-171

VENTANA INN, INC.

Page 7


Other Requirements and Agency Approvals

10. PRIOR TO ISSUANCE of permit, permittee shall submit for review and approval of the Executive Director:

- a. Evidence that the Regional Water Quality Control Board has approved the wastewater disposal system as presented to the Commission. Any RWQCB recommendations that alter the current system proposal shall be submitted for the review and approval of the Executive Director.
- b. Evidence that the Monterey County fire safety requirements for the inn units shall be applied to the staff housing units as well.
- c. A revised soils engineering report indicating structural and geologic stability for revised development locations of the new inn units and surrounding area. Permittee shall submit verification that Monterey County Building Department approves the revised locations.
- d. Signing program including all elements of the development. The signing shall be in keeping with the rural character of the area.
- e. A deed restriction providing that the employee housing units may not be converted to other uses and may be occupied by employees of Ventana Inn, Inc., and their families, only. Subsequently the permittee shall record said document.

Standard Conditions

See Exhibit A.

EXHIBIT NO. 2
APPLICATION NO. 3-82-171 A
CONDITIONS OF 3-82-171A
 California Coastal Commission

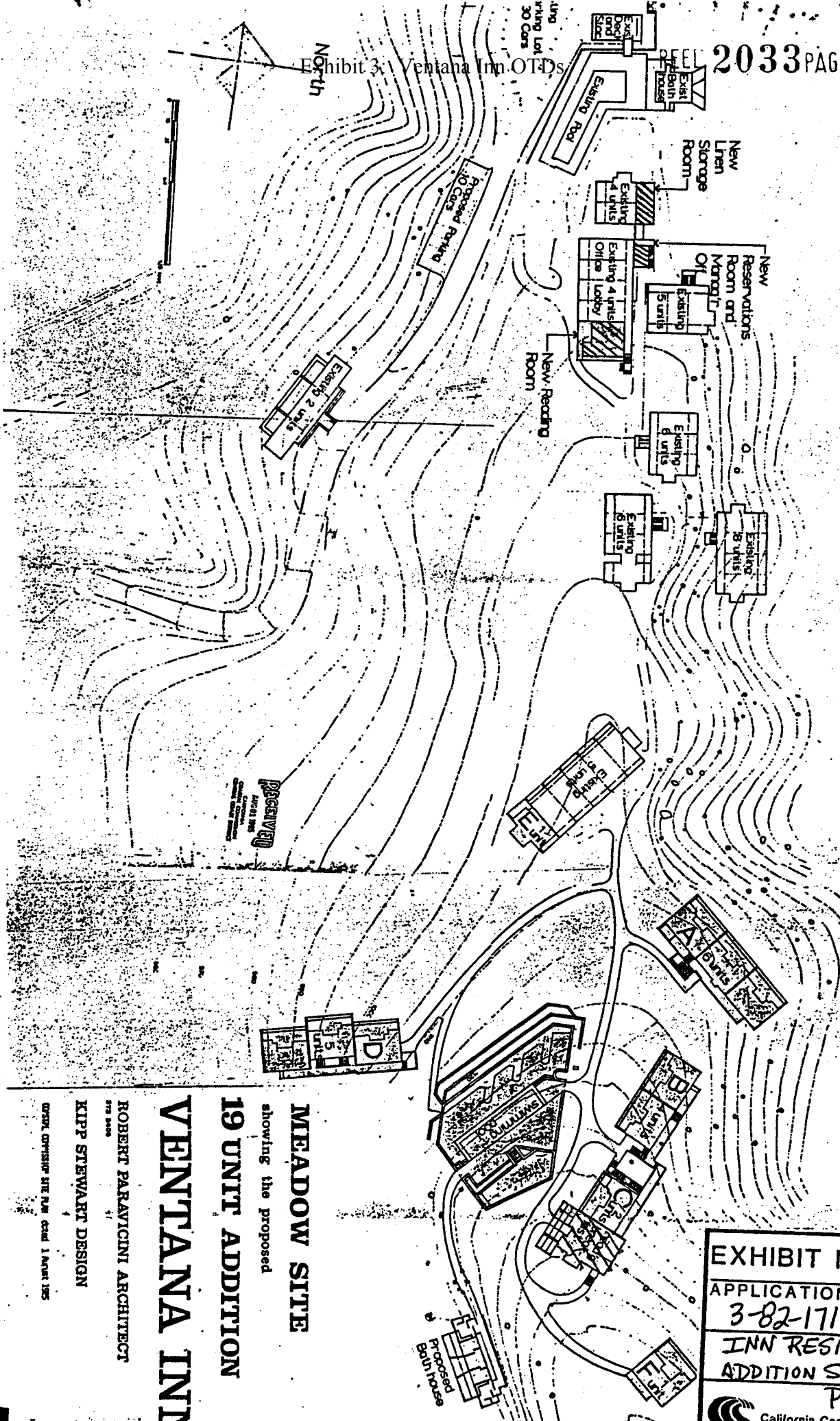

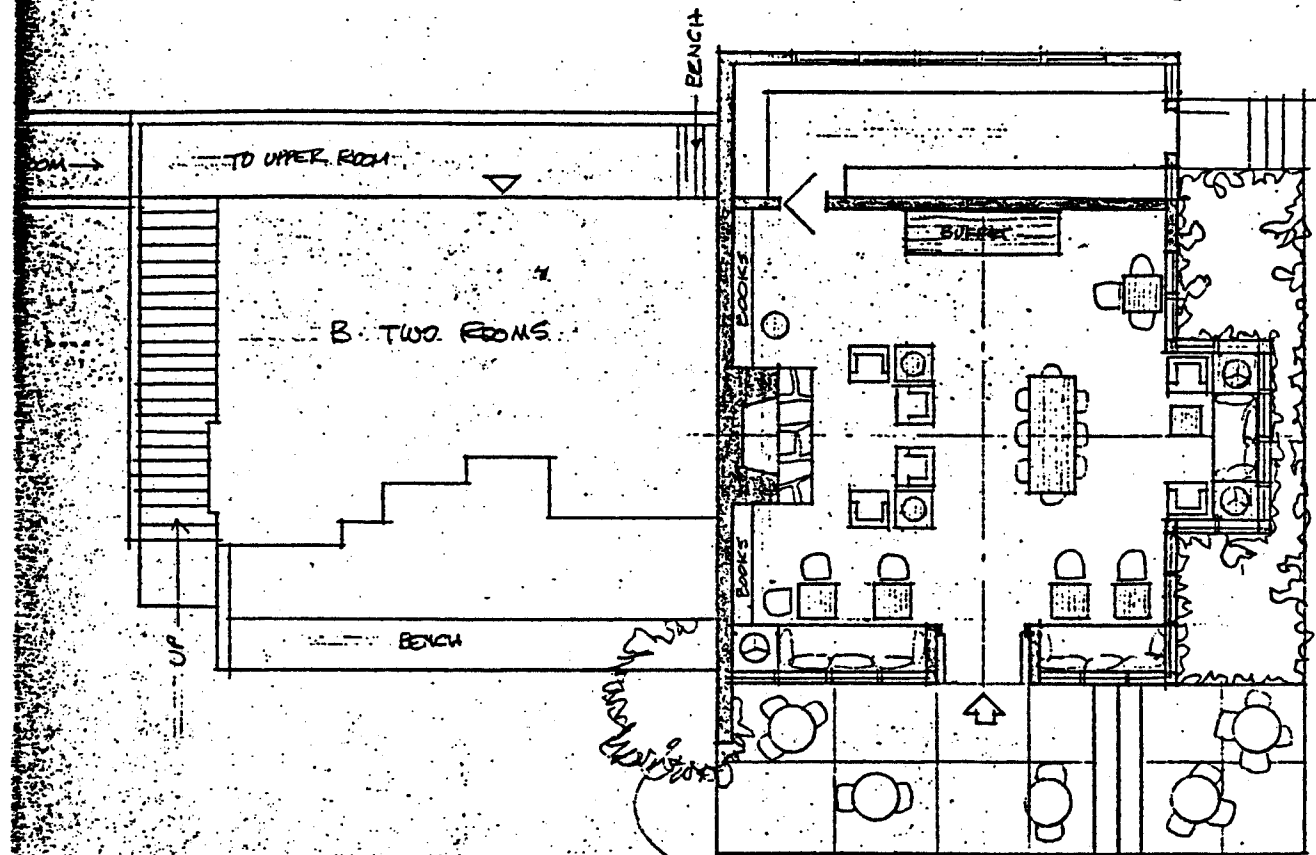
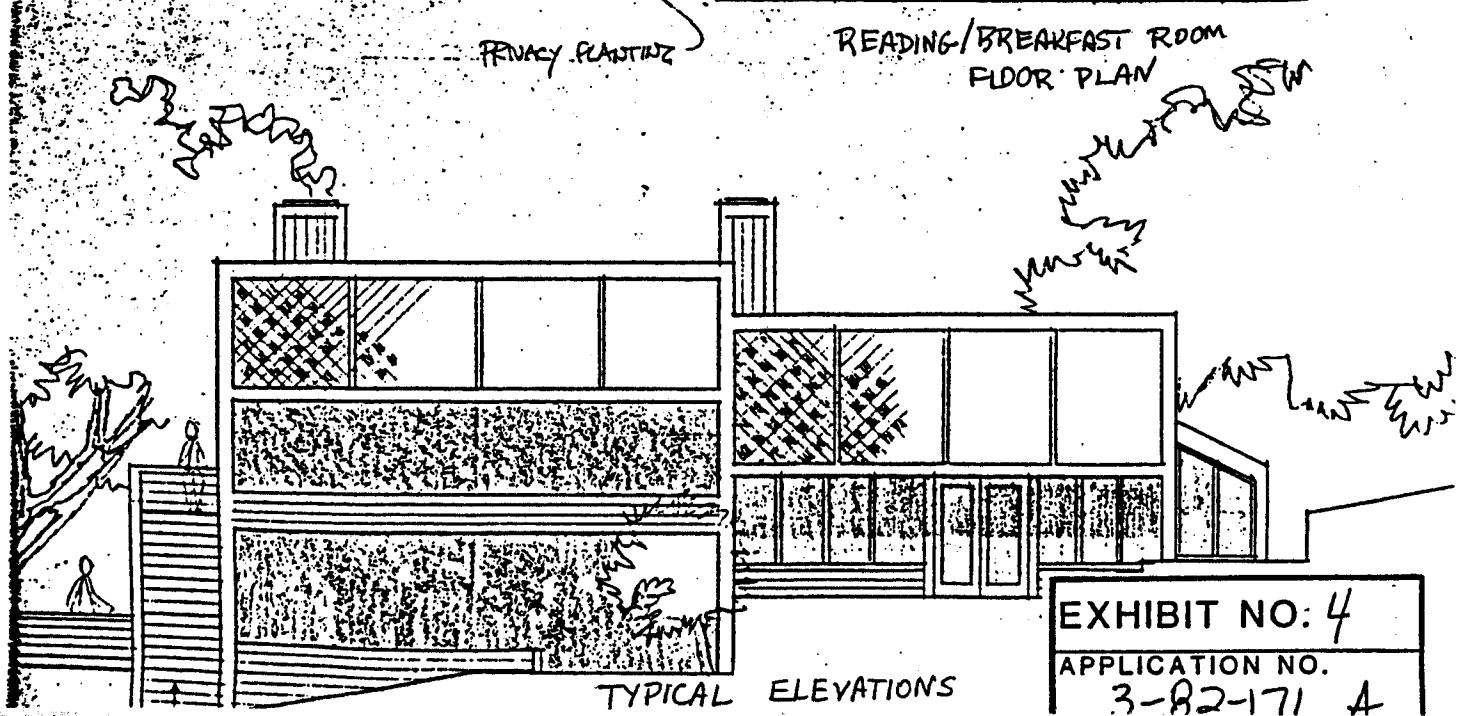


EXHIBIT NO. 3	
APPLICATION NO.	
3-82-171-A	
INN RESITING AND ADDITION SITE	
PLAN	
 California Coastal Commission	

MEADOW SITE
 showing the proposed
19 UNIT ADDITION
VENTANA INN
 ROBERT PARAVICINI ARCHITECT
 272 2400
 KIPP STEWART DESIGN
 2724 COTTAGE SITE PLAN (SHEET 1) AUGUST 1985



READING/BREAKFAST ROOM
FLOOR PLAN

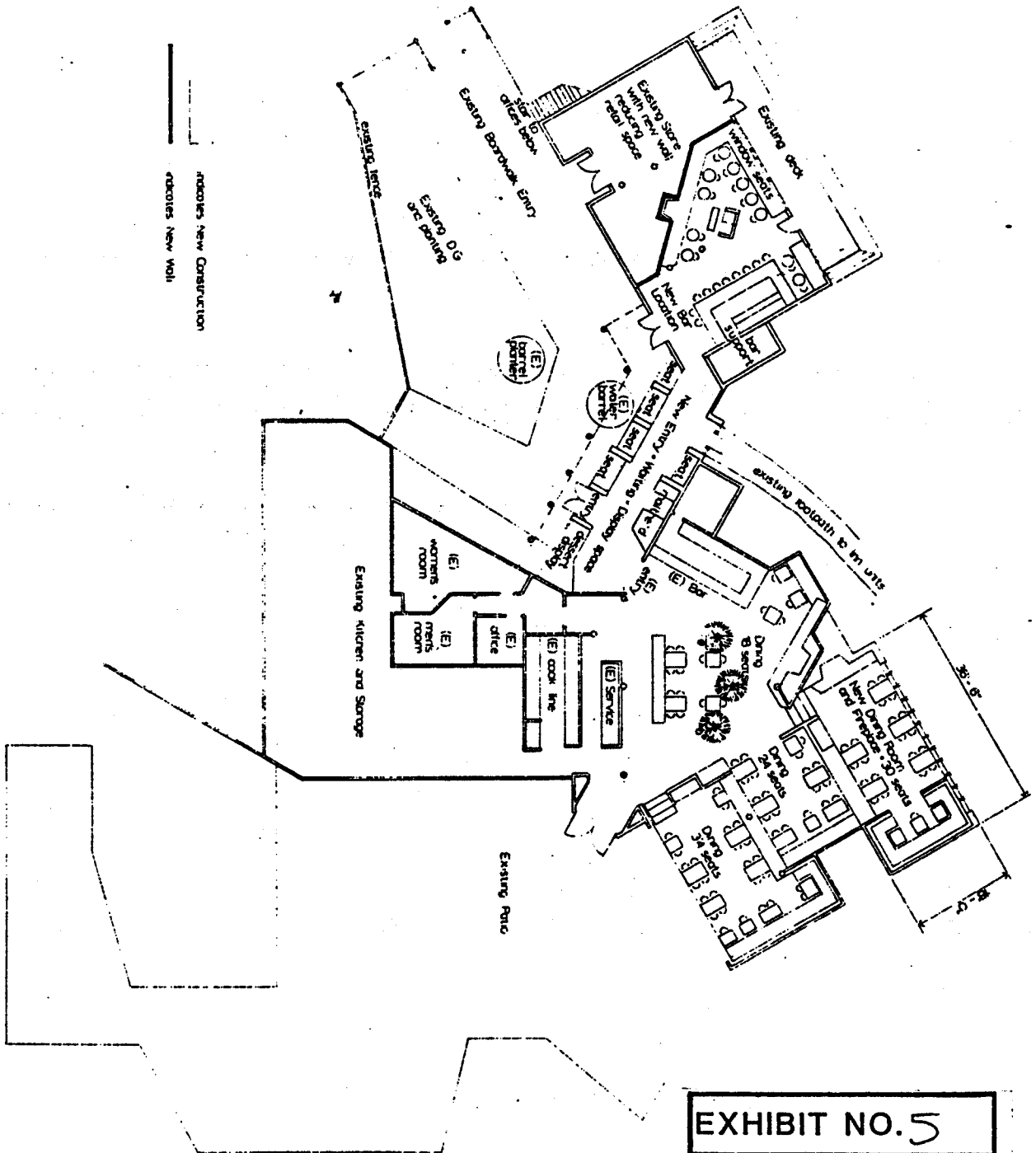


TYPICAL ELEVATIONS

EXHIBIT NO: 4
APPLICATION NO.
3-82-171 A

**Existing
Parking Lot**

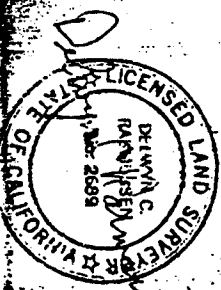
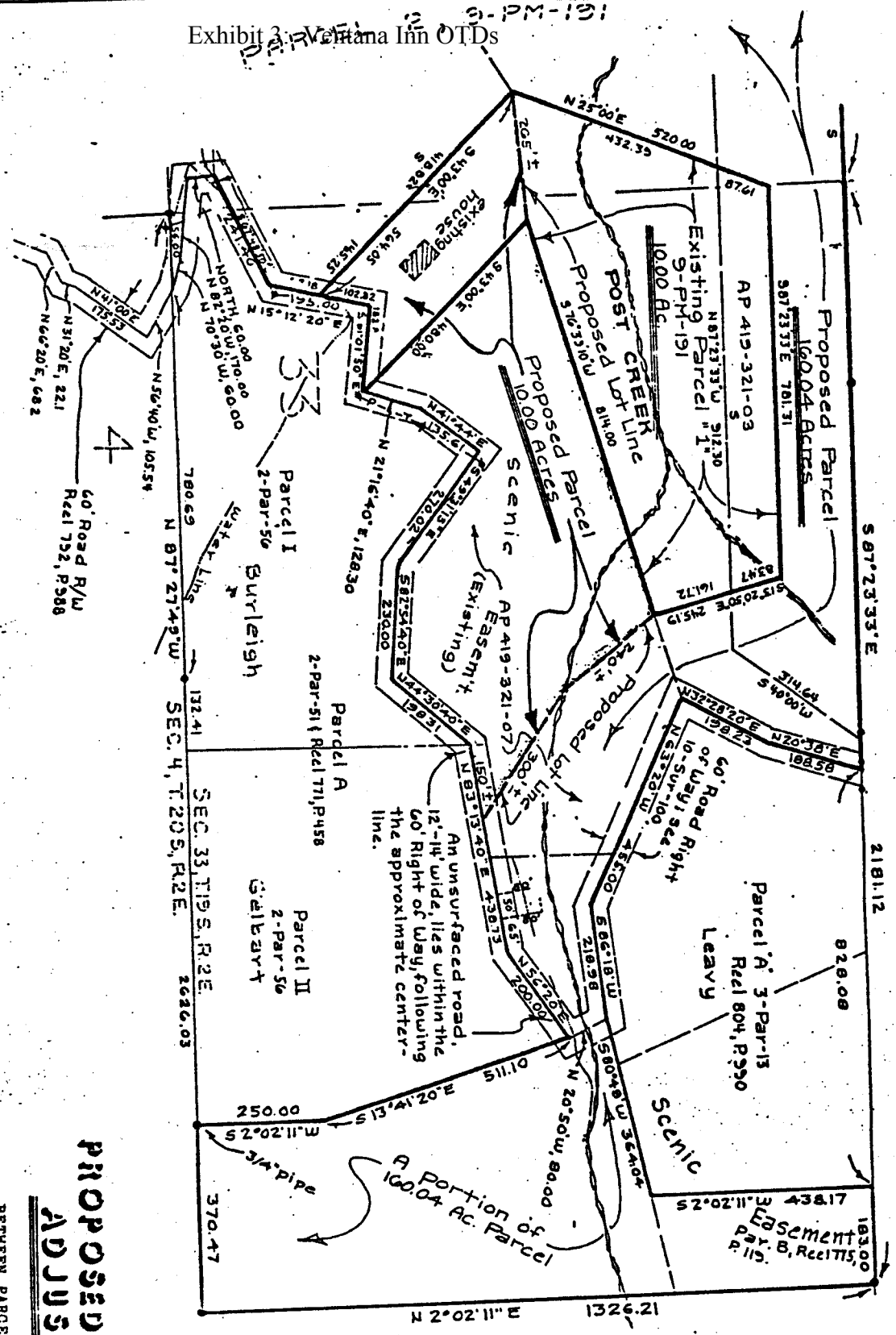
Indoles New Construction



EXPANSION
California Coastal Commission

Restaurant Additions

Exhibit 3 - Ventana Inn OTDs
3-PM-131



FOR: VENTANA INN INC. (Owner)
Big Sur, Calif. 93920
PREPARED BY:
RASMUSSEN LAND SURVEYING, INC.
704 Forest Ave, Pacific Grove, Ca 93950
6-25-84
SCALE: 1" = 200'

PROPOSED LOT LINE ADJUSTMENT

LOCATION SKETCH

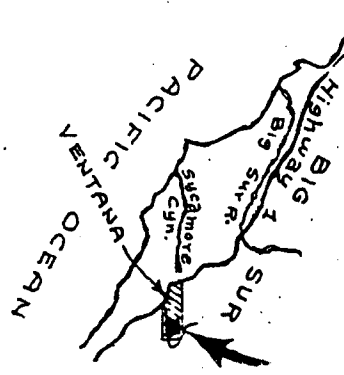


EXHIBIT NO. 6	
APPLICATION NO. 3-82-171A	
LOT LINE ADJUSTMENT	
California Coastal Commission	

RASMUSSEN LAND SURVEYING

704-C Forest Avenue

191 - W. Shaw, #204-C

June 3, 1983

Description of Trail Easement, VENTANA Big Sur.

An easement for hiking trail over a portion of that certain parcel of land described in deed from Joseph W. Post et al to the Big Sur Ventana Corporation, recorded January 17, 1972 in Reel 743 of Official Records of Monterey County, California, at Page 239, said parcel also being shown on that certain Record of Survey Map recorded in Volume 10 of Surveys at Page 100, Records of said County, said portion being a strip of land 25 feet wide lying 12.5 feet on each side of the following described line:

Beginning at a point on course numbered 16 of the boundary of said parcel as described in said deed, distant along said course S. 73° 02' 20" W., 65.00 feet distant from the northeasterly terminus of said course; thence

- (1) S. 25° 00' E., 23.75 feet; thence ✓
- (2) S. 34° 30' 20" E., 130.81 feet; thence ✓
- (3) S. 30° 27' 20" E., 161.19 feet; thence ✓
- (4) S. 18° 15' E., 128.41 feet; thence ✓
- (5) S. 49° 35' 50" E., 40.76 feet; thence ✓
- (6) S. 5° 18' 50" E., 99.01 feet; thence ✓
- (7) S. 89° 58' E., 15.00 feet; thence ✓
- (8) S. 0° 28' 40" W., 32.88 feet; thence ✓
- (9) S. 27° 02' 50" E., 213.65 feet; thence ✓
- (10) S. 13° 10' 15" E., 190.47 feet; thence ✓
- (11) S. 7° 58' 25" E., 151.97 feet; thence ✓
- (12) S. 31° 33' 50" E., 126.82 feet; thence ✓
- (13) S. 2° 53' W., 32.00 feet; thence ✓
- (14) S. 39° 52' 45" E., 114.46 feet; thence ✓
- (15) S. 69° 33' 40" E., 58.46 feet; thence ✓
- (16) S. 49° 55' 35" E., 85.94 feet; thence ✓
- (17) S. 81° 10' 55" E., 91.97 feet; thence ✓
- (18) S. 54° 42' 30" W., 140.89 feet; thence ✓

(19) S. 5° 18' 20" E., 160.00 feet, to a point in the road Right of Way 60 feet wide described in deed from J. W. Post, Sr., and J. W. Post, Jr. to the United States of America, recorded in Volume 707 of Official Records of said County at Page 103 (said map also appears on said Record of Survey Map), and from which point the southwesterly corner of said parcel of land, marked by a 2" capped iron pipe as shown on said map, bears S. 13° 02' 40" E., 411.45 feet distant.

D C Rasmussen

D. C. Rasmussen, Licensed Land Surveyor

END OF DOC

66049

Recording Requested by and
When Recorded Mail to:

CALIFORNIA COASTAL COMMISSION
631 Howard Street, 4th Floor
San Francisco, California 94105
Attn: Legal Department

R	17
M	1
RF	15
T	33

Harry Fish
Dec 5 4 37 PM '86

OFFICE OF RECORDER
COUNTY OF MONTEREY
SALINAS, CALIFORNIA

IRREVOCABLE OFFER TO DEDICATE PUBLIC ACCESS EASEMENT

AND

DECLARATION OF RESTRICTIONS

(125 foot corridor)

THIS IRREVOCABLE OFFER TO DEDICATE PUBLIC ACCESS EASEMENT
AND DECLARATION OF RESTRICTIONS (hereinafter "Offer") is made
this 5th day of December, 1986, by Ventana Inn, Inc., a
California corporation (hereinafter referred to as "Grantor").

I. WHEREAS, Grantor is the legal owner of a fee interest of
certain real property located in the County of Monterey, State
of California, and described in the attached Exhibit A
(hereinafter referred to as the "Property");

II. WHEREAS, all of the Property is located within the
"Coastal Zone" as defined in Section 30103 of the California
Public Resources Code (which code is hereinafter referred to as
the "Public Resources Code");

III. WHEREAS, the California Coastal Act of 1976 (hereinafter
referred to as the "Act") creates the California Coastal
Commission (hereinafter referred to as the "Commission") and
requires that any development approved by the Commission must

be consistent with the policies of the Act set forth in Chapter 3 of Division 20 of the Public Resources Code;

IV. WHEREAS, pursuant to the Act, Grantor applied to the Commission for a permit to undertake development as defined in the Act within the Coastal Zone of Monterey County (hereinafter the "Permit");

V. WHEREAS, a Coastal Development Permit (Permit No. 3-82-171) was granted on October 13, 1982, and Coastal Development Permit No. 3-82-171A on June 10, 1986 by the Commission in accordance with the Staff Recommendation and Findings attached as Exhibit B to Irrevocable Offer to Dedicate Public Access Easement and Declaration of Restrictions (25 Foot Corridor) Instrument No. 6604 and incorporated herein by this reference, subject to the following condition:

5. PRIOR TO ISSUANCE of permit, the Executive Director shall certify in writing that the following condition has been satisfied. The permittee shall execute and record a document or documents in a form and content approved by the Executive Director of the Commission irrevocably offering to dedicate to a public agency or a private association approved by the Executive Director, the following easements for public access and recreation:

a. A coastal lateral access pedestrian and equestrian easement the length of the permittee's properties from the northern property boundary to the southern property boundary. Except for minor modifications to avoid existing or permitted structures, such easement shall be 25 ft. minimum in width and shall be designed to connect Pfeiffer-Big Sur State Park to the proposed Ventana picnic area and Coast Ridge Road in a manner which avoids exposure of pedestrians to traffic on State

Highway Route 1. Wherever physically feasible, the easement shall also be designed to allow trail location on a separate alignment where parallel to the Ventana campground/restaurant entrance road(s), and to allow connection with future coastal lateral access easement, if any, which may be located on lands adjacent to the southern-most boundary of permittee's southernmost parcel.

b. A pedestrian and equestrian easement on Coast Ridge Road at all locations where such road is located in whole or in part within the permittee's parcels. In lieu of executing a new easement, permittee may submit any existing U.S. Forest Service easement or easements prepared to satisfy County of Monterey permit conditions, provided that the Executive Director determines that such submittal carries out the intent to provide public access in an equivalently effective manner. The location of these easements shall be consistent with the approved LUP and the Commission's Conservancy "Standards and Recommendations for Coastal Access."

Such easements shall be free of prior liens or encumbrances except for tax liens. While the easements may be subject to reasonable conditions to provide for the operation and maintenance of a pedestrian/equestrian trail, the easement shall provide that no signs or barriers shall be erected or retained which would cause the visitor to believe the trail(s) to be closed to public use (an exception for extreme fire danger or other officially declared emergency should be indicated).

The offer shall run with the land in favor of the people of the State of California binding successors and assigns of the permittee and future landowners. The offer of dedication shall be irrevocable for a period of 25 years, such period running from the date of recording."

VI. WHEREAS, the Property is a parcel optimally located to provide a segment of a coastal lateral access trail to be used

for public recreation and access, and under the policy of Section 30223 of the California Coastal Act of 1976 upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible;

VII. WHEREAS, under the policies of Sections 30210 through 30212 of the California Coastal Act of 1976, public access through the Coastal Zone is to be maximized;

VIII. WHEREAS, the Commission found that but for the imposition of the above condition, the proposed development could not be found consistent with the public access policies of Section 30210 through 30212 and 30223 of the California Coastal Act of 1976; and

IX. WHEREAS, it is intended that this Offer is irrevocable and shall constitute enforceable restrictions within the meaning of Article XIII, Section 8 of the California Constitution and that said Offer, when accepted, shall thereby qualify as an enforceable restriction under the provisions of the California Revenue and Taxation Code, Section 402.1.

NOW THEREFORE, in consideration of the granting of Permit No. 3-82-171 to Grantor by the Commission, Grantor hereby offers to dedicate to the People of the State of California or a public agency or a private association acceptable to the Executive Director of the Commission an easement in perpetuity for the purposes of constructing and maintaining for public use a pedestrian and equestrian trail (the "Trail") located within a one hundred twenty-five foot (125') corridor and as

specifically set forth on Exhibit B attached hereto and incorporated herein by this reference.

1. BENEFIT AND BURDEN. This Offer shall run with and burden the Property and all obligations, terms, conditions and restrictions hereby imposed shall be deemed to be covenants and restrictions running with the land and shall be effective limitations on the use of the Property from the date of recordation of this document and shall bind the Grantor and all successors and assigns. This Offer shall benefit the People of the State of California. This Offer shall be superior to and free of all prior liens and/or financial encumbrances except for the lien of property taxes.

2. DECLARATION OF RESTRICTIONS. The Grantor is restricted from interfering with the use by the public of the area subject to the offered easement for public access. This restriction shall be effective from the time of recordation of this Offer and Declaration of Restrictions.

3. ADDITIONAL TERMS, CONDITIONS, AND LIMITATIONS. Prior to the opening of the accessway, the Grantee, in consultation with the Grantor, may record additional reasonable terms, conditions and limitations on the use of the Property in order to assure that this Offer for a public access is effectuated.

4. CONSTRUCTION AND VALIDITY. If any provision of these restrictions is held to be invalid or for any reason becomes unenforceable, no other provision shall be thereby affected or impaired.

5. SUCCESSORS AND ASSIGNS. The terms, covenants, conditions, exceptions, obligations and reservations contained in this Offer shall be binding upon and inure to the benefit of the successors and assigns of both the Grantor and the Grantee, whether voluntary or involuntary.

6. TERM. This irrevocable offer of dedication shall be binding for a period of twenty one (21) years. Upon recordation of an acceptance of this Offer by the Grantee, this Offer and the terms, conditions and restrictions herein shall have the effect of a grant of access easement in gross and perpetuity that shall run with the land and be binding on the parties, their heirs, assigns and successors. The People of the State of California shall accept this Offer through the local government in whose jurisdiction the Property lies, or through a public agency or a private association acceptable to the Executive Director of the Commission (the "Executive Director"), or its successor in interest.

Acceptance of this Offer is subject to a covenant which runs with the land, providing that any offeree to accept the easement may not abandon it but must instead offer the easement to other public agencies or private associations acceptable to the Executive Director for the duration of the term of the original Offer.

7. DESIGN AND CONSTRUCTION OF THE TRAIL. Grantor and Grantee and the Executive Director shall agree (such agreement not to be unreasonably withheld or delayed by any party) on the

exact location and design of the Trail, which shall be constructed by Grantee or Grantee's representative at Grantee's or Grantee's representative's expense. The width of the Trail shall generally not exceed five (5) feet except where a greater width is needed to conform with the standards of construction for similar trails in nearby National Forest lands as published by the United States Forest Service.

8. DEVELOPMENT WITHIN THE EASEMENT. Prior to the time when the Trail construction is commenced, Grantor agrees that it shall submit any plans for development within the easement to the Executive Director for his prior, written approval, so as not to interfere with potential trail routes.

9. REVISED DESCRIPTION OF EASEMENT. Upon acceptance of the easement and completion of construction of the Trail by an appropriate public agency or private association, the easement granted herein shall be reduced to twenty-five (25) feet in width. A revised description of the easement shall be promptly recorded and this original description shall be vacated.

10. PROHIBITED USES OF TRAIL. Except where existing or permitted roads cross the Trail, use of the Trail shall at all times be restricted to pedestrian and equestrian traffic. No vehicular traffic (other than that of vehicles owned by a governmental agency) shall be permitted on the Trail. Camping in or adjacent to the Trail shall not be permitted without consent of both the Grantor and the Grantee or its designee. Grantor agrees that at no time shall any signs or barriers be

constructed, placed, posted or erected upon, across, or in view of the Trail which might indicate to the public that access to the Trail is restricted, except as to signs warning of officially declared emergency conditions.

11. RESPONSIBILITY FOR TRAIL. The Grantee's representative shall have complete responsibility for the operation, repair, maintenance and control of the Trail.

Executed on this 5th day of December, 1986, at San Francisco, California.

VENTANA INN, INC.
OWNER, a California
corporation

By: Harry J. J. J.

Its: Vice President

This is to certify that the Offer to Dedicate set forth above is hereby acknowledged by the undersigned officer on behalf of the California Coastal Commission pursuant to authority conferred by the California Coastal Commission when it granted Coastal Development Permit No. 3-82-171 on

October 13, 1982, and the California Coastal Commission
consents to recordation thereof by its duly authorized officer.

Dated: Dec 5th, 1986

California Coastal Commission

By:

Andrew W. Allen

Title:

Staff Counsel

[ALL SIGNATURES MUST BE ACKNOWLEDGED]

STATE OF CALIFORNIA

COUNTY OF

San Francisco

SS.

On December 5, 1986, before me Barbara T. Hudson, aNotary Public, personally appeared Judith W. Allen,

personally known to me or proved to me on the basis of

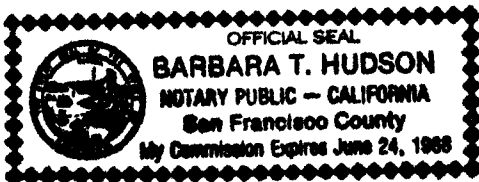
satisfactory evidence to be the person who executed this

instrument as the Staff Council and authorized

representative of the California Coastal Commission and

acknowledged to me that the California Coastal Commission

executed it.



Barbara T. Hudson
 Notary Public in and for said
 County and State

STATE OF

California

COUNTY OF

San Francisco

SS.

On this the 5th day of December, 1986, before me, Barbara T. Hudson, the undersigned Notary Public,personally appeared Harry Fish, personally known

to me or proved to me on the basis of satisfactory evidence to

be the person who executed this instrument as

Vice President or on behalf of Ventana Inn, Inc., and

acknowledged to me that the corporation executed it.

WITNESS my hand and official seal.



Barbara T. Hudson
 Notary's Signature

Situate in the County of Monterey, State of California, to-wit:

PARCEL I:

Certain real property situate in the County of Monterey, State of California being a portion of Sections 32 and 33 in Township 19 South, Range 2 East, M. D. B. & M., and a portion of Section 5 in Township 20 South, Range 2 East, M. D. B & M., said portion being particularly described as follows:

BEGINNING at the most westerly corner of that certain parcel of land described in deed from Joseph W. Post, Jr., et al, to John H. Ramistella, dated November 20, 1968 and recorded November 21, 1968 in Reel 582 of Official Records of Monterey County at page 156. Said parcel described in deed to Ramistella being shown on that certain Record of Survey Map filed in Volume 8 of Surveys at page 156, Monterey County Records, and said point of beginning being marked by a 2" capped iron pipe "LS 2746" as shown on said Record of Survey Map; thence following the northeasterly line of the California State Highway (bearings of the following six courses being $1^{\circ} 43' 50''$ clockwise of those stated on the highway deed), said northeasterly line being the northeasterly boundary of the strip of land 80 feet wide described in deed to the State of California for highway purposes, from Joseph W. Post, et al, dated February 7, 1936 and recorded March 10, 1936 in Volume 469 of Official Records of Monterey County at page 387.

N. $17^{\circ} 34' 40''$ W., 108.48 feet; thence

Northwesterly along a tangent curve to the left with a radius of 380 feet, through a central angle of $43^{\circ} 53'$ for an arc distance of 291.05 feet; thence tangentially

N. $61^{\circ} 27' 40''$ W., 86.43 feet; thence

Northwesterly along a tangent curve to the right with a radius of 360 feet, through a central angle of $27^{\circ} 46'$ for an arc distance of 174.46 feet; thence tangentially

N. $33^{\circ} 41' 40''$ W., 324.36 feet; thence

Northwesterly along a tangent curve to the right with a radius of 360 feet, through a central angle of $23^{\circ} 17' 40''$ for an arc distance of 146.36 feet; thence (bearings of the following fourteen courses being $1^{\circ} 40' 20''$ clockwise of those stated on the highway deeds of record)

N. $3^{\circ} 43' 20''$ E., non-tangentially to the preceding course and following the easterly line of the 60 foot wide strip of land described to the State of California for road purposes by deed from J. W. Post dated July 12, 1922 and recorded December 26, 1922 in Volume 10 of Official Records of Monterey County at page 130, 299.71 feet; thence again along the easterly boundary of said 80 foot highway strip

N. $6^{\circ} 50' 20''$ E., 77.44 feet; thence

Northerly along a tangent curve to the left with a radius of 640

Continued-----

feet through a central angle of $10^{\circ} 23' 25''$ for an arc distance of 116.06 feet; thence non-tangentially and again along the easterly line of said 60 foot highway strip

N. $3^{\circ} 43' 20''$ E., 111.30 feet; thence

Northerly and northwesterly along a tangent curve to the left with a radius of 230 feet, through a central angle of $49^{\circ} 44' 30''$ for an arc distance of 199.68 feet; thence tangentially

N. $46^{\circ} 01' 10''$ W., 72.15 feet; thence

N. $26^{\circ} 53' 10''$ W., again along the easterly boundary of said 80 foot highway strip, 149.18 feet; thence again along the easterly line of said 60 foot highway strip

Northerly along a non-tangent curve to the right with a radius of 220 feet, through a central angle of $0^{\circ} 27' 22''$ for an arc distance of 1.75 feet to a point of reverse curvature from which the center of said curve of radius 220 feet bears N. $83^{\circ} 22' 50''$ E., thence

Northwesterly along a tangent reverse curve to the left with a radius of 310 feet through a central angle of $30^{\circ} 23' 15''$ for an arc distance of 164.41 feet to the southerly boundary of that certain parcel of land described in deed from Joseph W. Post, et al, to the State of California dated June 4, 1937 and recorded in Volume 536 of Official Records of Monterey County at page 203; thence following the boundary of said last described parcel

N. $73^{\circ} 02' 20''$ E., 166.19 feet; thence

N. $18^{\circ} 11' 40''$ W., 126.53 feet; thence

N. $81^{\circ} 46' 40''$ W., 61.40 feet; thence

N. $10^{\circ} 20' 40''$ W., 192.15 feet; thence

N. $19^{\circ} 34' 40''$ W., 308.99 feet to intersection of said highway parcel boundary with the north line of the south half of the southeast quarter of said Section 32, Township 19 South, Range 2 East, M. D. B. & M., thence leaving the easterly line of said State Highway as shown on said highway map

S. $88^{\circ} 05' 05''$ E. along said north line of the south half of the southeast quarter of Section 32, a distance of 2603.00 feet to the section line between Sections 32 and 33, T. 19 S., R. 2 E., at the northwest corner of the south half of the southwest quarter of Section 33; thence

S. $87^{\circ} 23' 33''$ E., along the north line of the south half of the southwest quarter of Section 33, a distance of 1,170.04 feet; to the Northwest corner of that certain parcel of land described in the Deed

Continued-----

Exhibit 3: Ventana Inn OTDs

to Zad Leavy, et ux., recorded October 20, 1972 in Reel 804 at Page 990, Monterey County Records; thence leaving said North line, and running along the boundary lines of said Leavy parcel the following courses and distances, S. 20° 38' W. 188.58 feet; thence S. 32° 28' 20" W. 198.23 feet; thence S. 63° 20' E. 455 feet; thence N. 86° 18' E. 218.98 feet; thence N. 80° 48' E. 364.04 feet; thence N. 2° 02' 11" E. 438.17 feet to said North line of the South Half of the Southwest quarter of Section 33; thence along said North line S. 87° 23' 33" E. 183 feet; thence leaving said North line S. 2° 02' 11" W. 1326.21 feet to the South line of Section 33 and Township line between Townships 19 South, Range 2 East and 20 South, Range 2 East, said line being the Northerly boundary of said parcel described in Deed to Ramistella; thence along said Township line and Ramistella boundary N. 87° 27' 49" W. 370.47 feet to the Southeast corner of that certain parcel of land described in the Deed to Anne Cole recorded May 12, 1972 in Reel 771 at Page 458, Monterey County Records; thence along the Easterly and Northerly lines of said Cole parcel the following courses and distances N. 2° 02' 11" E. 250 feet; thence N. 13° 41' 20" W. 511 feet; thence S. 56° 20' W. 200 feet; thence S. 83° 13' 40" W. 438.73 feet to the Northeast corner of that certain parcel of land described in the Deed to William B. Burleigh and Sam L. Foster recorded April 26, 1973 in Reel 842 at Page 1112, Monterey County Records; thence along the Northerly lines of said Burleigh parcel the following courses and distances, S. 44° 30' 40" W. 198.31 feet; thence N. 82° 54' 40" W. 230 feet; thence N. 49° 31' 15" W. 270.02 feet; thence S. 41° 44' W. 135.61 feet; thence S. 21° 16' 40" W. 128.30 feet to the Southeast corner of that certain parcel of land described in the deed to Lawrence A. Spector recorded February 24, 1975 in Reel 961 at Page 561, Monterey County Records; thence along the boundary lines of said Spector parcel the following courses and distances, N. 43° 20' W. 480 feet; thence N. 76° 39' 10" E. 814 feet; thence N. 13° 20' 50" W. 245.19 feet; thence N. 87° 23' 33" W. 781.31 feet; thence S. 25° 00' W. 520 feet; thence S. 43° 00' E. 564.05 feet to the Westerly line of said Burleigh parcel; thence leaving said Spector parcel and following the Westerly line of said Burleigh parcel the following courses and distances, S. 15° 12' 20" W. 92.18 feet; thence S. 67° 48' 50" W. 241.40 feet; thence South 60 feet; thence S. 82° 20' E. 170 feet; thence S. 70° 30' E. 60 feet to the aforementioned South line of Section 33; thence leaving said Westerly line of Burleigh and running along the Northerly line of the aforementioned Ramistella parcel (Reel 582 Page 156), N. 87° 27' 49" W. 156 feet to 2" capped iron pipe "LS 2746" marking the common corner of Sections 32 and 33, T. 19 S., R. 2E., and Sections 4 and 5, T. 20 S., R. 2E., as shown on said Records of Survey to which reference is above made; thence leaving said township line, but continuing along the boundary of said parcel described in deed to Ramistella

Continued-----

Exhibit 3: Ventana Inn OTDs
S. 2° 31' 07" W., 1293.15 feet to 2" capped iron pipe "LS 2746" shown on said Record of Survey Map; thence N. 88° 19' 47" W., 1557.38 feet to the point of beginning.

EXCEPTING THEREFROM 1/10th interest in Spring Lot described in the deed from Big Sur Ventana Corporation, a California corporation; to Anne Cole, a single woman, dated May 1, 1972 and recorded May 12, 1972 in Reel 771 of Official Records of Monterey County at Page 458.

RESERVING THEREFROM a non-exclusive right of way for road and utilities purposes over a strip of land 60 feet wide lying 30 feet on each side of the centerline described in courses 1 through 28 of the Course Table shown on said map.

PARCEL II:

Non-exclusive right of way 60 feet wide for road purposes for ingress and egress as set forth in the deed from John H. Ramistella to Big Sur Ventana Corporation, a California corporation, J. William Post, Jr., J. William Post and Mary Post Fleenor, dated July 20, 1972 and recorded August 23, 1972, in Reel 792 of Official Records of Monterey County at Page 988.

PARCEL III:

Non-exclusive right of way 30 feet wide for road and utilities purpose as reserved in the deed from Big Sur Ventana Corporation to Anne Cole, a single woman, dated May 1, 1972 and recorded May 12, 1972, in Reel 771 of Official Records of Monterey County at Page 458.

PARCEL IV:

Non-exclusive right of way for road and utilities purposes as reserved in the deed from Big Sur Ventana Corporation a California corporation to Zad Leavy and Laela Leavy, husband and wife, as Joint Tenants, date October 6 1972 and recorded October 20, 1972, in Reel 804 of Official Records of Monterey County at Page 990.

PARCEL V:

Non-exclusive right of way over that portion of the 60' right of way described by the centerline set forth in the Course Table of said Survey Map, filed in Volume 10 of Surveys at Page 100, lying within the boundary of the Spector parcel abovementioned (Reel 961, Page 561).

PARCEL VI:

Non-exclusive right of way for road and utilities purposes as reserved in the Deed to William B. Burleigh and Sam L. Foster recorded April 26, 1973 in Reel 842 at Page 1112, Monterey County Records.

RASMUSSEN LAND SURVEYING
Exhibit 3: Ventana Inn OTDs

704-C Forest Avenue
Pacific Grove, CA 93950
(408) 375-7240

REEL 2033 PAGE 991

Description of additional hiking trail easement to the east of Post Creek, in Ventana.

An easement for hiking trail over a portion of that certain parcel of land described in deed from Joseph W. Post et al to Big Sur Ventana Corporation, dated January 14, 1972 and recorded January 17, 1972 in Reel 747 of Official Records of the County of Monterey, State of California, said portion being a strip of land 125 feet wide lying along, adjacent to and on the easterly and northeasterly side (with respect to courses 1 through 4), and on the southerly side (with respect to course 5) of the following described line:

Beginning at the northwest corner of said parcel of land described in said deed; thence along the westerly boundary thereof

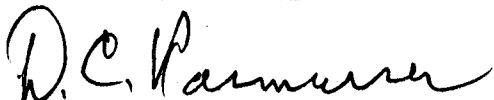
(1) S. 19° 34' 40" W., 308.99 feet; thence

(2) S. 10° 20' 40" W., 192.15 feet; thence

(3) S. 81° 46' 40" E., 61.40 feet; thence

(4) S. 18° 11' 40" E., 126.53 feet; thence

(5) S. 73° 02' 20" W., 65.00 feet, to the point of beginning of the centerline of a hiking trail easement 25 feet wide hereinbefore described.



D. C. Rasmussen
Licensed Land Surveyor #2689

END OF DOCUMENT

EXHIBIT B. B

66048

Recording Requested by and
When Recorded Mail to:

CALIFORNIA COASTAL COMMISSION
631 Howard Street, 4th Floor
San Francisco, California 94105
Attn: Legal Department

R	14
M	1
RF	12
T	27

Harry Fish
DEC 5 4 35 PM '86

OFFICE OF RECORDER
COUNTY OF MONTEREY
SALINAS, CALIFORNIA

IRREVOCABLE OFFER TO DEDICATE PUBLIC ACCESS EASEMENT

AND

DECLARATION OF RESTRICTIONS

(300 foot corridor)

THIS IRREVOCABLE OFFER TO DEDICATE PUBLIC ACCESS EASEMENT
AND DECLARATION OF RESTRICTIONS (hereinafter "Offer") is made
this 5th day of December, 1986, by Ventana Inn, Inc., a
California corporation (hereinafter referred to as "Grantor").

I. WHEREAS, Grantor is the legal owner of a fee interest of
certain real property located in the County of Monterey, State
of California, and described in the attached Exhibit A
(hereinafter referred to as the "Property");

II. WHEREAS, all of the Property is located within the
"Coastal Zone" as defined in Section 30103 of the California
Public Resources Code (which code is hereinafter referred to as
the "Public Resources Code");

III. WHEREAS, the California Coastal Act of 1976 (hereinafter
referred to as the "Act") creates the California Coastal
Commission (hereinafter referred to as the "Commission") and
requires that any development approved by the Commission must

be consistent with the policies of the Act set forth in Chapter 3 of Division 20 of the Public Resources Code;

IV. WHEREAS, pursuant to the Act, Grantor applied to the Commission for a permit to undertake development as defined in the Act within the Coastal Zone of Monterey County (hereinafter the "Permit");

V. WHEREAS, a coastal development permit No. 3-82-171 was granted on October 13, 1982, and coastal development permit No. 3-82-171A was granted on June 10, 1986 by the Commission in accordance with the Staff Recommendation and Findings attached as Exhibit B to Irrevocable Offer to Dedicate Public Access Easement and Declaration of Restrictions (25 Foot Corridor) Instrument No. 66041 and incorporated herein by this reference, subject to the following condition:

5. PRIOR TO ISSUANCE of permit, the Executive Director shall certify in writing that the following condition has been satisfied. The permittee shall execute and record a document or documents in a form and content approved by the Executive Director of the Commission irrevocably offering to dedicate to a public agency or a private association approved by the Executive Director, the following easements for public access and recreation:

a. A coastal lateral access pedestrian and equestrian easement the length of the permittee's properties from the northern property boundary to the southern property boundary. Except for minor modifications to avoid existing or permitted structures, such easement shall be 25 ft. minimum in width and shall be designed to connect Pfeiffer-Big Sur State Park to the proposed Ventana picnic area and Coast Ridge Road in a manner which avoids exposure of pedestrians to traffic on State

Highway Route 1. Wherever physically feasible, the easement shall also be designed to allow trail location on a separate alignment where parallel to the Ventana campground/restaurant entrance road(s), and to allow connection with future coastal lateral access easement, if any, which may be located on lands adjacent to the southern-most boundary of permittee's southernmost parcel.

b. A pedestrian and equestrian easement on Coast Ridge Road at all locations where such road is located in whole or in part within the permittee's parcels. In lieu of executing a new easement, permittee may submit any existing U.S. Forest Service easement or easements prepared to satisfy County of Monterey permit conditions, provided that the Executive Director determines that such submittal carries out the intent to provide public access in an equivalently effective manner. The location of these easements shall be consistent with the approved LUP and the Commission's Conservancy "Standards and Recommendations for Coastal Access."

Such easements shall be free of prior liens or encumbrances except for tax liens. While the easements may be subject to reasonable conditions to provide for the operation and maintenance of a pedestrian/equestrian trail, the easement shall provide that no signs or barriers shall be erected or retained which would cause the visitor to believe the trail(s) to be closed to public use (an exception for extreme fire danger or other officially declared emergency should be indicated).

The offer shall run with the land in favor of the people of the State of California binding successors and assigns of the permittee and future landowners. The offer of dedication shall be irrevocable for a period of 25 years, such period running from the date of recording.

VI. WHEREAS, the Property is a parcel optimally located to provide a segment of a coastal lateral access trail to be used

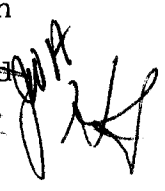
for public recreation and access, and under the policy of Section 30223 of the California Coastal Act of 1976 upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible;

VII. WHEREAS, under the policies of Sections 30210 through 30212 of the California Coastal Act of 1976, public access through the Coastal Zone is to be maximized;

VIII. WHEREAS, the Commission found that but for the imposition of the above condition, the proposed development could not be found consistent with the public access policies of Section 30210 through 30212 and 30223 of the California Coastal Act of 1976; and

IX. WHEREAS, it is intended that this Offer is irrevocable and shall constitute enforceable restrictions within the meaning of Article XIII, Section 8 of the California Constitution and that said Offer, when accepted, shall thereby qualify as an enforceable restriction under the provisions of the California Revenue and Taxation Code, Section 402.1.

NOW THEREFORE, in consideration of the granting of Permit No. 3-82-171 to Grantor by the Commission, Grantor hereby offers to dedicate to the People of the State of California or a public agency or a private association acceptable to the Executive Director of the Commission an easement in perpetuity for the purposes of constructing and maintaining for public use a pedestrian and equestrian trail (the "Trail") located within a three hundred foot (300') corridor ~~adjacent to Highway 1 and~~



as specifically set forth on Exhibit B attached hereto and incorporated herein by this reference.

1. BENEFIT AND BURDEN. This Offer shall run with and burden the Property and all obligations, terms, conditions and restrictions hereby imposed shall be deemed to be covenants and restrictions running with the land and shall be effective limitations on the use of the Property from the date of recordation of this document and shall bind the Grantor and all successors and assigns. This Offer shall benefit the People of the State of California. This Offer shall be superior to and free of all prior liens and/or financial encumbrances except for the lien of property taxes.

2. DECLARATION OF RESTRICTIONS. The Grantor is restricted from interfering with the use by the public of the area subject to the offered easement for public access. This restriction shall be effective from the time of recordation of this Offer and Declaration of Restrictions.

3. ADDITIONAL TERMS, CONDITIONS, AND LIMITATIONS. Prior to the opening of the accessway, the Grantee, in consultation with the Grantor, may record additional reasonable terms, conditions and limitations on the use of the Property in order to assure that this Offer for a public access is effectuated.

4. CONSTRUCTION AND VALIDITY. If any provision of these restrictions is held to be invalid or for any reason becomes unenforceable, no other provision shall be thereby affected or impaired.

5. SUCCESSORS AND ASSIGNS. The terms, covenants, conditions, exceptions, obligations and reservations contained in this Offer shall be binding upon and inure to the benefit of the successors and assigns of both the Grantor and the Grantee, whether voluntary or involuntary.

6. TERM. This irrevocable offer of dedication shall be binding for a period of twenty-one (21) years. Upon recordation of an acceptance of this Offer by the Grantee, this Offer and the terms, conditions and restrictions herein shall have the effect of a grant of access easement in gross and perpetuity that shall run with the land and be binding on the parties, their heirs, assigns and successors. The People of the State of California shall accept this Offer through the local government in whose jurisdiction the Property lies, or through a public agency or a private association acceptable to the Executive Director of the Commission (the "Executive Director"), or its successor in interest.

Acceptance of this Offer is subject to a covenant which runs with the land, providing that any offeree to accept the easement may not abandon it but must instead offer the easement to other public agencies or private associations acceptable to the Executive Director for the duration of the term of the original Offer.

7. DESIGN AND CONSTRUCTION OF THE TRAIL. Grantor and Grantee and the Executive Director shall agree (such agreement not to be unreasonably withheld or delayed by any party) on the

exact location and design of the Trail, which shall be constructed by Grantee or Grantee's representative at Grantee's or Grantee's representative's expense. The width of the Trail shall generally not exceed five (5) feet except where a greater width is needed to conform with the standards of construction for similar trails in nearby National Forest lands as published by the United States Forest Service.

8. DEVELOPMENT WITHIN THE EASEMENT. Prior to the time when the Trail construction is commenced, Grantor agrees that it shall submit any plans for development within the easement to the Executive Director for his prior, written approval, so as not to interfere with potential trail routes.

9. REVISED DESCRIPTION OF EASEMENT. Upon acceptance of the easement and completion of construction of the Trail by an appropriate public agency or private association, the easement granted herein shall be reduced to twenty-five (25) feet in width. A revised description of the easement shall be promptly recorded and this original description shall be vacated.

10. PROHIBITED USES OF TRAIL. Except where existing or permitted roads cross the Trail, use of the Trail shall at all times be restricted to pedestrian and equestrian traffic. No vehicular traffic (other than that of vehicles owned by a governmental agency) shall be permitted on the Trail. Camping in or adjacent to the Trail shall not be permitted without consent of both the Grantor and the Grantee or its designee. Grantor agrees that at no time shall any signs or barriers be

constructed, placed, posted or erected upon, across, or in view of the Trail which might indicate to the public that access to the Trail is restricted, except as to signs warning of officially declared emergency conditions.

11. RESPONSIBILITY FOR TRAIL. The Grantee's representative shall have complete responsibility for the operation, repair, maintenance and control of the Trail.

Executed on this 5th day of October, 1986, at
San Luis Obispo, California.

VENTANA INN, INC.
OWNER, a California
corporation

By: [Signature]

Its: Vice President

This is to certify that the Offer to Dedicate set forth above is hereby acknowledged by the undersigned officer on behalf of the California Coastal Commission pursuant to authority conferred by the California Coastal Commission when it granted Coastal Development Permit No. 3-82-171 on

October 13, 1982, and the California Coastal Commission
consents to recordation thereof by its duly authorized officer.

Dated: December 5, 1986

California Coastal Commission

By:

Judith W. Allen

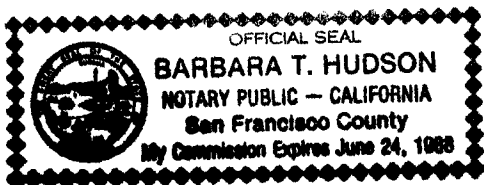
Title:

Staff Counsel

[ALL SIGNATURES MUST BE ACKNOWLEDGED]

STATE OF CALIFORNIA)
COUNTY OF San Francisco) SS.

On December 5, 1986, before me Barbara T. Hudson, a
Notary Public, personally appeared Judith W. Allen,
personally known to me or proved to me on the basis of
satisfactory evidence to be the person who executed this
instrument as the Staff Counsel and authorized
representative of the California Coastal Commission and
acknowledged to me that the California Coastal Commission
executed it.

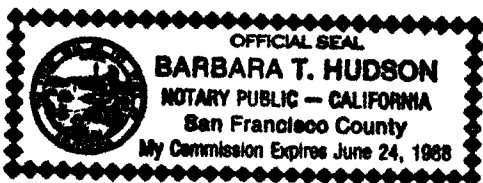


Barbara T. Hudson
Notary Public in and for said
County and State

STATE OF California)
COUNTY OF San Francisco) SS.

On this the 5th day of December, 1986,
before me, Barbara T. Hudson, the undersigned Notary
Public, personally appeared Harry Fisk, personally
known to me or proved to me on the basis of satisfactory
evidence to be the person who executed this instrument
as Vice President or on behalf of Ventana Inn, Inc.,
and acknowledged to me that the corporation executed it.

WITNESS my hand and official seal.



Barbara T. Hudson
Notary's Signature

PARCEL I

That certain parcel of land designated "Parcel A", as said parcel is shown on that certain map entitled, "Parcel Map, Jaeger Property in West Half Section 32, T. 19 S., R. 2 E., M. D. B. & M., Monterey County, Calif.", filed in Volume 2 of "Parcel Maps", at page 130, Monterey County Records.

PARCEL II

The right of ingress and egress, along a route designated by grantor in the deed recorded June 25, 1974 in Reel 920 of Official Records of Monterey County at page 922; for purpose of installation, maintenance and operation of collection and pumping facilities necessary to transport of water from the spring rising within the above described parcel of land.

PARCEL III

A right of way for water pipe line installed underground running from a point on the boundary of the above described spring parcel at or near the Southeast corner thereof, to the South boundary of said "Parcel A", along a route mutually agreeable to grantor and grantee in deed recorded June 25, 1974 in Reel 920 of Official Records of Monterey County at page 922; but lying entirely within the Easterly 140 feet of said "Parcel A" and Southerly of the above described spring parcel, with right of ingress and egress for installation and maintenance of said pipeline.

A.P. No. 601-983-50

END OF DOCUMENT

704-C Forest Avenue
Pacific Grove, CA 93950
(408) 375-7240

191 - W. Shaw, #204-C
Fresno, California 93704
(209) 227-9936

June 3, 1983 (Rev. 8/10/83)

Description of trail easement through Parcel A, Vol. 2, Par. Maps,
Page 130.

An easement for hiking trail over and across Parcel A as shown on that certain Parcel Map filed for record on July 25, 1972 in the office of the County Recorder of the County of Monterey, State of California, in Volume 2 of Parcel Maps at Page 130, said trail to lie within a portion of said parcel described as follows:

A strip of land of total width of 300 feet, lying 100 feet on the northeasterly side of Post Creek as it runs through the parcel, and 200 feet on the southwesterly side of Post Creek; centerline of said creek runs approximately along the following described line:

Beginning at a point on the northerly boundary of said parcel, distant S. $87^{\circ} 49' 40''$ E., 120.00 feet from the most northwesterly corner of said parcel; thence

(1) S. $49^{\circ} 00'$ E., 820 feet; thence

(2) S. $37^{\circ} 00'$ E., 685 feet; thence

(3) S. $19^{\circ} 00'$ E., 665 feet; thence

(4) S. $12^{\circ} 00'$ E., 500 feet; thence

(5) S. $29^{\circ} 00'$ E., 493 feet, more or less, to a point on the easterly boundary of said parcel, distant N. $2^{\circ} 37' 43''$ E., 75.5 feet, more or less, from the southeasterly corner of said parcel; thence, leaving Post Creek

(6) S. $2^{\circ} 37' 43''$ W. along said easterly boundary 75.5 feet, more or less, to the southeast corner of said parcel.

D. C. Rasmussen

D. C. Rasmussen
Licensed Land Surveyor #2689

END OF DOCUMENT

EXHIBIT B

66047

Recording Requested by and
When Recorded Mail to:

CALIFORNIA COASTAL COMMISSION
631 Howard Street, 4th Floor
San Francisco, California 94105
Attn: Legal Department

R	18
M	1
RF	16
T	35

Harry Fish
DEC 5 4 36 PM '86

OFFICE OF RECORDER
COUNTY OF MONTEREY
SALINAS, CALIFORNIA

IRREVOCABLE OFFER TO DEDICATE PUBLIC ACCESS EASEMENT

AND

DECLARATION OF RESTRICTIONS

(Coast Ridge Road)

THIS IRREVOCABLE OFFER TO DEDICATE PUBLIC ACCESS EASEMENT
AND DECLARATION OF RESTRICTIONS (hereinafter "Offer") is made
this 5th day of November, 1986, by Ventana Inn, Inc.. a
California corporation (hereinafter referred to as "Grantor").

I. WHEREAS, Grantor is the legal owner of a fee interest of
certain real properties located in the County of Monterey,
State of California, and described in the attached Exhibit A
(hereinafter referred to as the "Property");

II. WHEREAS, all of the Property is located within the
"Coastal Zone" as defined in Section 30103 of the California
Public Resources Code (which code is hereinafter referred to as
the "Public Resources Code");

III. WHEREAS, the California Coastal Act of 1976 (hereinafter
referred to as the "Act") creates the California Coastal
Commission (hereinafter referred to as the "Commission") and
requires that any development approved by the Commission must

be consistent with the policies of the Act set forth in Chapter 3 of Division 20 of the Public Resources Code;

IV. WHEREAS, pursuant to the Act, Grantor applied to the Commission for a permit to undertake development as defined in the Act within the Coastal Zone of Monterey County (hereinafter the "Permit");

V. WHEREAS, a coastal development permit (Permit No. 3-82-171) was granted on October 13, 1982, and Permit no. 3-82-171A on June 10, 1986 by the California Coastal Commission in accordance with the Staff Recommendation and Findings attached as Exhibit B to Irrevocable Offer to Dedicate Public Access Easement and Declaration of Restrictions (25 Foot Corridor) Instrument No. 6604 and incorporated herein by this reference, subject to the following condition:

5. PRIOR TO ISSUANCE of permit, the Executive Director shall certify in writing that the following condition has been satisfied. The permittee shall execute and record a document or documents in a form and content approved by the Executive Director of the Commission irrevocably offering to dedicate to a public agency or a private association approved by the Executive Director, the following easements for public access and recreation:

a. A coastal lateral access pedestrian and equestrian easement the length of the permittee's properties from the northern property boundary to the southern property boundary. Except for minor modifications to avoid existing or permitted structures, such easement shall be 25 ft. minimum in width and shall be designed to connect Pfeiffer-Big Sur State Park to the proposed Ventana picnic area and Coast Ridge Road in a manner which avoids exposure of pedestrians to traffic on State Highway Route 1. Wherever physically

feasible, the easement shall also be designed to allow trail location on a separate alignment where parallel to the Ventana campground/restaurant entrance road(s), and to allow connection with future coastal lateral access easement, if any, which may be located on lands adjacent to the southern-most boundary of permittee's southernmost parcel.

b. A pedestrian and equestrian easement on Coast Ridge Road at all locations where such road is located in whole or in part within the permittee's parcels. In lieu of executing a new easement, permittee may submit any existing U.S. Forest Service easement or easements prepared to satisfy County of Monterey permit conditions, provided that the Executive Director determines that such submittal carries out the intent to provide public access in an equivalently effective manner. The location of these easements shall be consistent with the approved LUP and the Commission's Conservancy "Standards and Recommendations for Coastal Access".

Such easements shall be free of prior liens or encumbrances except for tax liens. While the easements may be subject to reasonable conditions to provide for the operation and maintenance of a pedestrian/equestrian trail, the easement shall provide that no signs or barriers shall be erected or retained which would cause the visitor to believe the trail(s) to be closed to public use (an exception for extreme fire danger or other officially declared emergency should be indicated).

The offer shall run with the land in favor of the people of the State of California binding successors and assigns of the permittee and future landowners. The offer of dedication shall be irrevocable for a period of 25 years, such period running from the date of recording.

VI. WHEREAS, the subject property is a parcel optimally located to provide a segment of a trail along the old Coast Ridge Road to be used for public recreation and access, and

under the policy of Section 30223 of the California Coastal Act of 1976 upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible;

VII. WHEREAS, under the policies of Sections 30210 through 30212 of the California Coastal Act of 1976, public access through the Coastal Zone is to be maximized;

VIII. WHEREAS, the Commission found that but for the imposition of the above condition, the proposed development could not be found consistent with the public access policies of Section 30210 through 30212 and 30223 of the California Coastal Act of 1976; and

IX. WHEREAS, it is intended that this Offer is irrevocable and shall constitute enforceable restrictions within the meaning of Article XIII, Section 8 of the California Constitution and that said Offer, when accepted, shall thereby qualify as an enforceable restriction under the provisions of the California Revenue and Taxation Code, Section 402.1.

NOW THEREFORE, in consideration of the granting of Permit No. 3-82-171 to Grantor by the Commission, Grantor hereby offers to dedicate to the People of the State of California or a public agency or a private association acceptable to the Executive Director of the Commission an easement in perpetuity for the purposes of constructing and maintaining for public use a pedestrian and equestrian trail (the "Trail") located along Coast Ridge Road and as specifically set forth on Exhibit B attached hereto and incorporated herein by this reference and

as located along Ventana's relocated entrance road as specifically set forth on Exhibit C hereto and incorporated herein by reference.

1. BENEFIT AND BURDEN. This Offer shall run with and burden the Property and all obligations, terms, conditions and restrictions hereby imposed shall be deemed to be covenants and restrictions running with the land and shall be effective limitations on the use of the Property from the date of recordation of this document and shall bind the Grantor and all successors and assigns. This Offer shall benefit the People of the State of California.

2. DECLARATION OF RESTRICTIONS. The Grantor is restricted from interfering with the use by the public of the area subject to the offered easement for public access. This restriction shall be effective from the time of recordation of this Offer and Declaration of Restrictions.

3. ADDITIONAL TERMS, CONDITIONS. AND LIMITATIONS. Prior to the opening of the accessway, the Grantee, in consultation with the Grantor and the Commission, may record additional reasonable terms, conditions and limitations on the use of the Property in order to assure that this Offer for a public access is effectuated.

4. CONSTRUCTION AND VALIDITY. If any provision of these restrictions is held to be invalid or for any reason becomes unenforceable, no other provision shall be thereby affected or impaired.

5. SUCCESSORS AND ASSIGNS. The terms, covenants, conditions, exceptions, obligations and reservations contained in this Offer shall be binding upon and inure to the benefit of the successors and assigns of both the Grantor and the Grantee, whether voluntary or involuntary.

6. TERM. This irrevocable offer of dedication shall be binding for a period of twenty one (21) years. Upon recordation of an acceptance of this Offer by the Grantee, this Offer and the terms, conditions and restrictions herein shall have the effect of a grant of access easement in gross and perpetuity that shall run with the land and be binding on the parties, their heirs, assigns and successors. The People of the State of California shall accept this Offer through the local government in whose jurisdiction the Property lies, or through a public agency or a private association acceptable to the Executive Director of the Commission (the "Executive Director"), of its successor in interest.

Acceptance of this Offer is subject to a covenant which runs with the land, providing that any offeree to accept the easement may not abandon it but must instead offer the easement to other public agencies or private associations acceptable to the Executive Director for the duration of the term of the original Offer.

7. DESIGN AND CONSTRUCTION OF THE TRAIL. Grantor and Grantee and the Executive Director shall agree (such agreement not to be unreasonably withheld or delayed by any party) on the

exact location and design of the Trail, which shall be constructed by Grantee or Grantee's representative at Grantee's or Grantee's representative's expense. The width of the Trail shall generally not exceed five (5) feet except where a greater width is needed to conform with the standards of construction for similar trails in nearby National Forest lands as published by the United States Forest Service.

8. DEVELOPMENT WITHIN THE EASEMENT. Prior to the time when the Trail construction is commenced, Grantor agrees that it shall submit any plans for development within the easement to the Executive Director for his prior, written approval, so as not to interfere with potential trail routes.

9. REVISED DESCRIPTION OF EASEMENT. Upon acceptance of the easement and completion of construction of the Trail by an appropriate public agency or private association, the easement granted for the properties described herein on Exhibit "B" shall be reduced to twenty-five (25) feet in width. A revised description of the easement shall be promptly recorded and this original description shall be vacated.

10. PROHIBITED USES OF TRAIL. Except where existing or permitted roads coincide with or cross the Trail, use of the Trail shall at all times be restricted to pedestrian and equestrian traffic. No vehicular traffic (other than that of vehicles owned by a governmental agency) shall be permitted on the Trail. Camping in or adjacent to the Trail shall not be permitted without consent of both the Grantor and the Grantee

or its designee. Grantor agrees that at no time shall any signs or barriers be constructed, placed, posted or erected upon, across, or in view of the Trail which might indicate to the public that access to the Trail is restricted, except as to signs warning of officially declared emergency conditions.

11. RESPONSIBILITY FOR TRAIL. The Grantee's representative shall have complete responsibility for the operation, repair, maintenance and control of the Trail.

Executed on this 5th day of December ^{H. H. H. H. H.} ~~November~~, 1986, at San Francisco, California.

VENTANA INN, INC.
OWNER, a California
corporation

By: Harry Link

Its: Vice President

This is to certify that the Offer to Dedicate set forth above is hereby acknowledged by the undersigned officer on behalf of the California Coastal Commission pursuant to authority conferred by the California Coastal Commission when it

granted Coastal Development Permit No. 3-82-171 on October 13, 1982, and the California Coastal Commission consents to recordation thereof by its duly authorized officer.

Dated: December 5, 1986

California Coastal Commission

By:

Title:

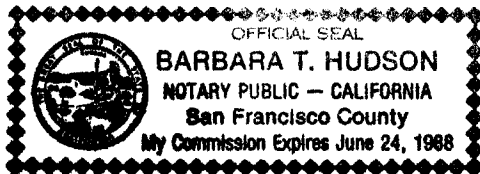
[ALL SIGNATURES MUST BE ACKNOWLEDGED]

STATE OF CALIFORNIA)

COUNTY OF San Francisco)

SS.

On December 5, 1986, before me Barbara T. Hudson, a Notary Public, personally appeared Judith W. Allen, personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed this instrument as the Staff Counsel and authorized representative of the California Coastal Commission and acknowledged to me that the California Coastal Commission executed it.



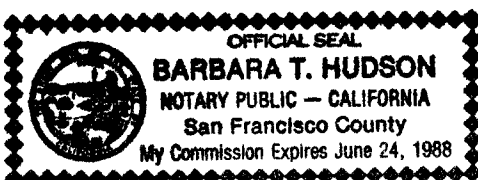
Barbara T. Hudson
Notary Public in and for said
County and State

STATE OF California)COUNTY OF San Francisco)

SS.

On this the 5th day of December, 1986, before me, Barbara T. Hudson, the undersigned Notary Public, personally appeared Harry Fisk, personally known to me or proved to me on the basis of satisfactory evidence to be the person who executed this instrument as Vice President or on behalf of Ventana Inn, Inc., and acknowledged to me that the corporation executed it.

WITNESS my hand and official seal.



Barbara T. Hudson
Notary's Signature

Situate in the County of Monterey, State of California, to-wit:

PARCEL I:

Certain real property situate in the County of Monterey, State of California being a portion of Sections 32 and 33 in Township 19 South, Range 2 East, M. D. B. & M., and a portion of Section 5 in Township 20 South, Range 2 East, M. D. B & M., said portion being particularly described as follows:

BEGINNING at the most westerly corner of that certain parcel of land described in deed from Joseph W. Post, Jr., et al, to John H. Ramistella dated November 20, 1968 and recorded November 21, 1968 in Reel 582 of Official Records of Monterey County at page 156. Said parcel described in deed to Ramistella being shown on that certain Record of Survey Map filed in Volume 8 of Surveys at page 156, Monterey County Records, and said point of beginning being marked by a 2" capped iron pipe "LS 2746" as shown on said Record of Survey Map; thence following the northeasterly line of the California State Highway (bearings of the following six courses being $1^{\circ} 43' 50''$ clockwise of those stated on the highway deed), said northeasterly line being the northeasterly boundary of the strip of land 80 feet wide described in deed to the State of California for highway purposes, from Joseph W. Post, et al, dated February 7, 1936 and recorded March 10, 1936 in Volume 469 of Official Records of Monterey County at page 387.

N. $17^{\circ} 34' 40''$ W., 108.48 feet; thence

Northwesterly along a tangent curve to the left with a radius of 380 feet, through a central angle of $43^{\circ} 53'$ for an arc distance of 291.05 feet; thence tangentially

N. $61^{\circ} 27' 40''$ W., 86.43 feet; thence

Northwesterly along a tangent curve to the right with a radius of 360 feet, through a central angle of $27^{\circ} 46'$ for an arc distance of 174.46 feet; thence tangentially

N. $33^{\circ} 41' 40''$ W., 324.36 feet; thence

Northwesterly along a tangent curve to the right with a radius of 360 feet, through a central angle of $23^{\circ} 17' 40''$ for an arc distance of 146.36 feet; thence (bearings of the following fourteen courses being $1^{\circ} 40' 20''$ clockwise of those stated on the highway deeds of record)

N. $3^{\circ} 43' 20''$ E., non-tangentially to the preceding course and following the easterly line of the 60 foot wide strip of land described to the State of California for road purposes by deed from J. W. Post dated July 12, 1922 and recorded December 26, 1922 in Volume 10 of Official Records of Monterey County at page 130, 299.71 feet; thence again along the easterly boundary of said 80 foot highway strip

N. $6^{\circ} 50' 20''$ E., 77.44 feet; thence

Northerly along a tangent curve to the left with a radius of 640

Continued-----

feet through a central angle of $10^{\circ} 23' 25''$ for an arc distance of 116.06 feet; thence non-tangentially and again along the easterly line of said 60 foot highway strip

N. $3^{\circ} 43' 20''$ E., 111.30 feet; thence

Northerly and northwesterly along a tangent curve to the left with a radius of 230 feet, through a central angle of $49^{\circ} 44' 30''$ for an arc distance of 199.68 feet; thence tangentially

N. $46^{\circ} 01' 10''$ W., 72.15 feet; thence

N. $26^{\circ} 53' 10''$ W., again along the easterly boundary of said 80 foot highway strip, 149.18 feet; thence again along the easterly line of said 60 foot highway strip

Northerly along a non-tangent curve to the right with a radius of 220 feet, through a central angle of $0^{\circ} 27' 22''$ for an arc distance of 1.75 feet to a point of reverse curvature from which the center of said curve of radius 220 feet bears N. $83^{\circ} 22' 50''$ E., thence

Northwesterly along a tangent reverse curve to the left with a radius of 310 feet through a central angle of $30^{\circ} 23' 15''$ for an arc distance of 164.41 feet to the southerly boundary of that certain parcel of land described in deed from Joseph W. Post, et al, to the State of California dated June 4, 1937 and recorded in Volume 536 of Official Records of Monterey County at page 203; thence following the boundary of said last described parcel

N. $73^{\circ} 02' 20''$ E., 166.19 feet; thence

N. $18^{\circ} 11' 40''$ W., 126.53 feet; thence

N. $81^{\circ} 46' 40''$ W., 61.40 feet; thence

N. $10^{\circ} 20' 40''$ W., 192.15 feet; thence

N. $19^{\circ} 34' 40''$ W., 308.99 feet to intersection of said highway parcel boundary with the north line of the south half of the southeast quarter of said Section 32, Township 19 South, Range 2 East, M. D. B. & M., thence leaving the easterly line of said State Highway as shown on said highway map

S. $88^{\circ} 05' 05''$ E. along said north line of the south half of the southeast quarter of Section 32, a distance of 2603.00 feet to the section line between Sections 32 and 33, T. 19 S., R. 2 E., at the northwest corner of the south half of the southwest quarter of Section 33; thence

S. $87^{\circ} 23' 33''$ E., along the north line of the south half of the southwest quarter of Section 33, a distance of 1,170.04 feet; to the Northwest corner of that certain parcel of land described in the Deed

Continued-----

Exhibit 3: Ventana Inn OTDs

to Zad Leavy, et ux., recorded October 20, 1972 in Reel 804 at Page 990, Monterey County Records; thence leaving said North line, and running along the boundary lines of said Leavy parcel the following courses and distances, S. 20° 38' W. 188.58 feet; thence S. 32° 28' 20" W. 198.23 feet; thence S. 63° 20' E. 455 feet; thence N. 86° 18' E. 218.98 feet; thence N. 80° 48' E. 364.04 feet; thence N. 2° 02' 11" E. 438.17 feet to said North line of the South Half of the Southwest quarter of Section 33; thence along said North line S. 87° 23' 33" E. 183 feet; thence leaving said North line S. 2° 02' 11" W. 1326.21 feet to the South line of Section 33 and Township line between Townships 19 South, Range 2 East and 20 South, Range 2 East, said line being the Northerly boundary of said parcel described in Deed to Ramistella; thence along said Township line and Ramistella boundary N. 87° 27' 49" W. 370.47 feet to the Southeast corner of that certain parcel of land described in the Deed to Anne Cole recorded May 12, 1972 in Reel 771 at Page 458, Monterey County Records; thence along the Easterly and Northerly lines of said Cole parcel the following courses and distances N. 2° 02' 11" E. 250 feet; thence N. 13° 41' 20" W. 511 feet; thence S. 56° 20' W. 200 feet; thence S. 83° 13' 40" W. 438.73 feet to the Northeast corner of that certain parcel of land described in the Deed to William B. Burleigh and Sam L. Foster recorded April 26, 1973 in Reel 842 at Page 1112, Monterey County Records; thence along the Northerly lines of said Burleigh parcel the following courses and distances, S. 44° 30' 40" W. 198.31 feet; thence N. 82° 54' 40" W. 230 feet; thence N. 49° 31' 15" W. 270.02 feet; thence S. 41° 44' W. 135.61 feet; thence S. 21° 16' 40" W. 128.30 feet to the Southeast corner of that certain parcel of land described in the deed to Lawrence A. Spector recorded February 24, 1975 in Reel 961 at Page 561, Monterey County Records; thence along the boundary lines of said Spector parcel the following courses and distances, N. 43° 00' W. 480 feet; thence N. 76° 39' 10" E. 814 feet; thence N. 13° 20' 50" W. 245.19 feet; thence N. 87° 23' 33" W. 781.31 feet; thence S. 25° 00' W. 520 feet; thence S. 43° 00' E. 564.05 feet to the Westerly line of said Burleigh parcel; thence leaving said Spector parcel and following the Westerly line of said Burleigh parcel the following courses and distances, S. 15° 12' 20" W. 92.18 feet; thence S. 67° 48' 50" W. 241.40 feet; thence South 60 feet; thence S. 82° 20' E. 170 feet; thence S. 70° 30' E. 60 feet to the aforementioned South line of Section 33; thence leaving said Westerly line of Burleigh and running along the Northerly line of the aforementioned Ramistella parcel (Reel 582 Page 156), N. 87° 27' 49" W. 156 feet to 2" capped iron pipe "LS 2746" marking the common corner of Sections 32 and 33, T. 19 S., R. 2E., and Sections 4 and 5, T. 20 S., R. 2E., as shown on said Records of Survey to which reference is above made; thence leaving said township line, but continuing along the boundary of said parcel described in deed to Ramistella

Continued-----

S. 2° 31' 07" W., 1295.13 feet to 2" capped iron pipe "LS 2746" shown on said Record of Survey Map; thence N. 88° 19' 47" W., 1557.38 feet to the point of beginning.

EXCEPTING THEREFROM 1/10th interest in Spring Lot described in the deed from Big Sur Ventana Corporation, a California corporation; to Anne Cole, a single woman, dated May 1, 1972 and recorded May 12, 1972 in Reel 771 of Official Records of Monterey County at Page 458.

RESERVING THEREFROM a non-exclusive right of way for road and utilities purposes over a strip of land 60 feet wide lying 30 feet on each side of the centerline described in courses 1 through 28 of the Course Table shown on said map.

PARCEL II:

Non-exclusive right of way 60 feet wide for road purposes for ingress and egress as set forth in the deed from John H. Ramistella to Big Sur Ventana Corporation, a California corporation, J. William Post, Jr., J. William Post and Mary Post Fleenor, dated July 20, 1972 and recorded August 23, 1972, in Reel 792 of Official Records of Monterey County at Page 988.

PARCEL III:

Non-exclusive right of way 30 feet wide for road and utilities purposes as reserved in the deed from Big Sur Ventana Corporation to Anne Cole a single woman, dated May 1, 1972 and recorded May 12, 1972, in Reel 771 of Official Records of Monterey County at Page 458.

PARCEL IV:

Non-exclusive right of way for road and utilities purposes as reserve in the deed from Big Sur Ventana Corporation a California corporation to Zad Leavy and Laela Leavy, husband and wife, as Joint Tenants, dated October 6 1972 and recorded October 20, 1972, in Reel 804 of Official Records of Monterey County at Page 990.

PARCEL V:

Non-exclusive right of way over that portion of the 60' right of way described by the centerline set forth in the Course Table of said Survey Map, filed in Volume 10 of Surveys at Page 100, lying within the boundary of the Spector parcel abovementioned (Reel 961, Page 561).

PARCEL VI:

Non-exclusive right of way for road and utilities purposes as reserved in the Deed to William B. Burleigh and Sam L. Foster recorded April 26, 1973 in Reel 842 at Page 1112, Monterey County Records.



RASMUSSEN
LAND SURVEYING, INC.
550 HARTNELL, SUITE 7 MONTEREY, CALIFORNIA 93940
(408) 375-7240

EXHIBIT B

REEL 2033 PAGE 963

March 13, 1985

Portion of Forest Service Right of Way within the present
Ventana property:

All that portion lying within the parcel or tract of land described in EXHIBIT A attached hereto, of the Road Right of way 60 feet wide conveyed to the United States of America by deeds recorded in Volume 707 at Page 13 and Volume 792 at Page 988, Official Records of the County of Monterey, State of California, which Right of Way is shown on the Record of Survey filed for record in Volume 10 of Surveys at Page 100, Records of said County, with a Course Table of 40 courses for the centerline of said Right of Way.

EXHIBIT A

That certain parcel of land, in the County of Monterey, State of California, described in deed from Joseph W. Post et al to Big Sur Ventana Corporation, dated January 14, 1972 and recorded January 17, 1972 in Reel 747 of Official Records of the County of Monterey, at Page 239.

Excepting therefrom:

Parcel I and Parcel II as shown on Parcel Map filed for record in Volume 2 of Parcel Maps at Page 56, Records of said County.

Parcel A as shown on Parcel Map filed for record in Volume 3 of Parcel Maps at Page 13, Records of said County.

Parcel 1 as shown on Parcel Map filed for record in Volume 9 of Parcel Maps at Page 191, Records of said County.

Delwyn C. Rasmussen
Licensed Land Surveyor



Exhibit 3: Ventana Int. OF DS
**RASMUSSEN
LAND SURVEYING, INC.**

550 HARTNELL, SUITE 7 MONTEREY, CALIFORNIA 93940
(408) 375-7240

EXHIBIT

C

REVISED Nov. 5, 1986

REEL 2033 PAGE 964

Description of Pedestrian and equestrian easement in Ventana, to connect, along route of proposed relocated entrance, with old route.

An easement for public use, for pedestrian and equestrian traffic, over a portion of that certain parcel of land described in deed from Joseph W. Post et al to Big Sur Ventana Corporation, dated January 14, 1972 and recorded January 17, 1972 in Reel 747 of Official Records of the County of Monterey, State of California, at Page 239, which parcel of land is shown on that certain Record of Survey Map filed in Volume 10 of Surveys at Page 100, Monterey County Records, said portion being a strip of land 20 feet wide lying 10 feet on each side of the following described line:

Beginning at a point on course numbered (7) of the boundary of said parcel of land described in said deed, distant thereon N. 3° 43' 20" E., 195.00 feet from the southerly terminus of said course, said boundary here being the easterly line of California State Highway V-Mon-56-E (State Route No. 1); thence, leaving said highway line and boundary

- (1) S. 61° 43' E., 38.73 feet; thence
- (2) S. 16° 33' E., 38.60 feet; thence
- (3) S. 19° 54' W., 61.68 feet; thence
- (4) S. 5° 38' E., 71.34 feet; thence
- (5) S. 24° 08' E., 31.78 feet; thence
- (6) S. 47° 17' E., 88.46 feet; thence
- (7) S. 30° 39' E., 125.54 feet; thence
- (8) S. 51° 35' E., 37.01 feet; thence
- (9) S. 76° 14' E., 96.27 feet; thence
- (10) S. 66° 00' E., 120.00 feet; thence
- (11) S. 25° 00' E., 100.00 feet; thence

(12) S. 37° 58' 30" E., 133.87 feet, to the centerline of the road and utilities right of way 60 feet wide, described as the first reservation in said deed, at the angle point joining courses numbered (4) and (5) of said right of way centerline, said right of way being along the route described in Right of Way Deed from J. W. Post, Sr. et al to the United States of America, dated November 14, 1940 and recorded February 20, 1941 in Volume 707 of Official Records of Monterey County at Page 103.

D.C. Rasmussen

D. C. Rasmussen

Licensed Land Surveyor #2689

LAND PLANNING • SUBDIVISIONS • BOUNDARY SURVEYS
AERIAL TOPOGRAPHY and MAPPING

END OF DOCUMENT

EXHIBIT

C

Recording Requested by and
When Recorded Mail to:

CALIFORNIA COASTAL COMMISSION
631 Howard Street, 4th Floor
San Francisco, California 94105
Attn: Legal Department

R	19
M	1
RF	17
T	37

Harry Fish
DEC 5 4 35 PM '86

OFFICE OF RECORDER
COUNTY OF MONTEREY
SALINAS, CALIFORNIA

66046

IRREVOCABLE OFFER TO DEDICATE PUBLIC ACCESS EASEMENT

AND

DECLARATION OF RESTRICTIONS

(Connection to Highway 1 Corridor)

(Diamond Parcel)

THIS IRREVOCABLE OFFER TO DEDICATE PUBLIC ACCESS EASEMENT
AND DECLARATION OF RESTRICTIONS (hereinafter "Offer") is made
this 5th day of ~~October~~ *December 1986*, 1986, by Ventana Inn, Inc., a
California corporation (hereinafter referred to as "Grantor").

I. WHEREAS, Grantor is the legal owner of a fee interest of
certain real property located in the County of Monterey, State
of California, and described in the attached Exhibit A
(hereinafter referred to as the "Property");

II. WHEREAS, all of the Property is located within the
"Coastal Zone" as defined in Section 30103 of the California
Public Resources Code (which code is hereinafter referred to as
the "Public Resources Code");

III. WHEREAS, the California Coastal Act of 1976 (hereinafter
referred to as the "Act") creates the California Coastal
Commission (hereinafter referred to as the "Commission") and

requires that any development approved by the Commission must be consistent with the policies of the Act set forth in Chapter 3 of Division 20 of the Public Resources Code;

IV. WHEREAS, pursuant to the Act, Grantor applied to the Commission for a permit to undertake development as defined in the Act within the Coastal Zone of Monterey County (hereinafter the "Permit");

V. WHEREAS, a coastal development permit (Permit No. 3-82-171) was granted on October 13, 1982, and coastal development permit no. 3-82-171A on June 10, 1986 by the Commission in accordance with the Staff Recommendation and Findings attached as Exhibit B to Irrevocable Offer to Dedicate Public Access Easement and Declaration of Restrictions (25 Foot Corridor) Instrument no. 66041 and incorporated herein by this reference, subject to the following condition:

5. PRIOR TO ISSUANCE of permit, the Executive Director shall certify in writing that the following condition has been satisfied. The permittee shall execute and record a document or documents in a form and content approved by the Executive Director of the Commission irrevocably offering to dedicate to a public agency or a private association approved by the Executive Director, the following easements for public access and recreation:

a. A coastal lateral access pedestrian and equestrian easement the length of the permittee's properties from the northern property boundary to the southern property boundary. Except for minor modifications to avoid existing or permitted structures, such easement shall be 25 ft. minimum in width and shall be designed to connect Pfeiffer-Big Sur State Park to the proposed Ventana picnic area

and Coast Ridge Road in a manner which avoids exposure of pedestrians to traffic on State Highway Route 1. Wherever physically feasible, the easement shall also be designed to allow trail location on a separate alignment where parallel to the Ventana campground/restaurant entrance road(s), and to allow connection with future coastal lateral access easement, if any, which may be located on lands adjacent to the southern-most boundary of permittee's southernmost parcel.

b. A pedestrian and equestrian easement on Coast Ridge Road at all locations where such road is located in whole or in part within the permittee's parcels. In lieu of executing a new easement, permittee may submit any existing U.S. Forest Service easement or easements prepared to satisfy County of Monterey permit conditions, provided that the Executive Director determines that such submittal carries out the intent to provide public access in an equivalently effective manner. The location of these easements shall be consistent with the approved LUP and the Commission's Conservancy "Standards and Recommendations for Coastal Access."

Such easements shall be free of prior liens or encumbrances except for tax liens. While the easements may be subject to reasonable conditions to provide for the operation and maintenance of a pedestrian/equestrian trail, the easement shall provide that no signs or barriers shall be erected or retained which would cause the visitor to believe the trail(s) to be closed to public use (an exception for extreme fire danger or other officially declared emergency should be indicated).

The offer shall run with the land in favor of the people of the State of California binding successors and assigns of the permittee and future landowners. The offer of dedication shall be irrevocable for a period of 25 years, such period running from the date of recording.

VI. WHEREAS, the Property is a parcel optimally located to provide a segment of a coastal lateral access trail to be used for public recreation and access, and under the policy of Section 30223 of the California Coastal Act of 1976 upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible;

VII. WHEREAS, under the policies of Sections 30210 through 30212 of the California Coastal Act of 1976, public access through the Coastal Zone is to be maximized;

VIII. WHEREAS, the Commission found that but for the imposition of the above condition, the proposed development could not be found consistent with the public access policies of Section 30210 through 30212 and 30223 of the California Coastal Act of 1976; and

IX. WHEREAS, it is intended that this Offer is irrevocable and shall constitute enforceable restrictions within the meaning of Article XIII, Section 8 of the California Constitution and that said Offer, when accepted, shall thereby qualify as an enforceable restriction under the provisions of the California Revenue and Taxation Code, Section 402.1.

NOW THEREFORE, in consideration of the granting of Permit No. 3-82-171 to Grantor by the Commission, Grantor hereby offers to dedicate to the People of the State of California or a public agency or a private association acceptable to the Executive Director of the Commission an easement in perpetuity across the Property for the purposes of constructing and

maintaining for public use a pedestrian and equestrian trail (the "Trail") connecting the Old Coast Ridge Road to Highway 1 as specifically set forth on Exhibit B attached hereto and incorporated herein by this reference.

1. BENEFIT AND BURDEN. This Offer shall run with and burden the Property and all obligations, terms, conditions and restrictions hereby imposed shall be deemed to be covenants and restrictions running with the land and shall be effective limitations on the use of the Property from the date of recordation of this document and shall bind the Grantor and all successors and assigns. This Offer shall benefit the People of the State of California. This Offer shall be superior to and free of all prior liens and/or financial encumbrances except for the lien of property taxes.

2. DECLARATION OF RESTRICTIONS. The Grantor is restricted from interfering with the use by the public of the area subject to the offered easement for public access. This restriction shall be effective from the time of recordation of this Offer and Declaration of Restrictions.

3. ADDITIONAL TERMS, CONDITIONS, AND LIMITATIONS. Prior to the opening of the accessway, the Grantee, in consultation with the Grantor, may record additional reasonable terms, conditions and limitations on the use of the Property in order to assure that this Offer for a public access is effectuated.

4. CONSTRUCTION AND VALIDITY. If any provision of these restrictions is held to be invalid or for any reason becomes

unenforceable, no other provision shall be thereby affected or impaired.

5. SUCCESSORS AND ASSIGNS. The terms, covenants, conditions, exceptions, obligations and reservations contained in this Offer shall be binding upon and inure to the benefit of the successors and assigns of both the Grantor and the Grantee, whether voluntary or involuntary.

6. TERM. This irrevocable offer of dedication shall be binding for a period of twenty-one (21) years. Upon recordation of an acceptance of this Offer by the Grantee, this Offer and the terms, conditions and restrictions herein shall have the effect of a grant of access easement in gross and perpetuity that shall run with the land and be binding on the parties, their heirs, assigns and successors. The People of the State of California shall accept this Offer through the local government in whose jurisdiction the Property lies, or through a public agency or a private association acceptable to the Executive Director of the Commission (the "Executive Director"), or its successor in interest.

Acceptance of this Offer is subject to a covenant which runs with the land, providing that any offeree to accept the easement may not abandon it but must instead offer the easement to other public agencies or private associations acceptable to the Executive Director for the duration of the term of the original Offer.

7. DESIGN AND CONSTRUCTION OF THE TRAIL. Grantor and Grantee and the Executive Director shall agree (such agreement not to be unreasonably withheld or delayed by any party) on the exact location and design of the Trail, which shall be constructed by Grantee or Grantee's representative at Grantee's or Grantee's representative's expense. The width of the Trail shall generally not exceed five (5) feet except where a greater width is needed to conform with the standards of construction for similar trails in nearby National Forest lands as published by the United States Forest Service.

8. DEVELOPMENT WITHIN THE EASEMENT. Prior to the time when the Trail construction is commenced, Grantor agrees that it shall submit any plans for development within the easement to the Executive Director for his prior, written approval, so as not to interfere with potential trail routes.

9. REVISED DESCRIPTION OF EASEMENT. Upon acceptance of the easement and completion of construction of the Trail by an appropriate public agency or private association, the easement granted herein shall be reduced to twenty-five (25) feet in width. A revised description of the easement shall be promptly recorded and this original description shall be vacated.

10. PROHIBITED USES OF TRAIL. Except where existing or permitted roads cross the Trail, use of the Trail shall at all times be restricted to pedestrian and equestrian traffic. No vehicular traffic (other than that of vehicles owned by a governmental agency) shall be permitted on the Trail. Camping

in or adjacent to the Trail shall not be permitted without consent of both the Grantor and the Grantee or its designee. Grantor agrees that at no time shall any signs or barriers be constructed, placed, posted or erected upon, across, or in view of the Trail which might indicate to the public that access to the Trail is restricted, except as to signs warning of officially declared emergency conditions.

11. RESPONSIBILITY FOR TRAIL. The Grantee's representative shall have complete responsibility for the operation, repair, maintenance and control of the Trail.

Executed on this 5th day of ^{December}~~October~~, 1986, at San Francisco, California.

VENTANA INN, INC.
OWNER, a California
corporation

By: 

Its: 

This is to certify that the Offer to Dedicate set forth above is hereby acknowledged by the undersigned officer on behalf of the California Coastal Commission pursuant to authority conferred by the California Coastal Commission when it granted Coastal Development Permit No. 3-82-171 on

October 13, 1982, and the California Coastal Commission
consents to recordation thereof by its duly authorized officer.

Dated: December 5, 1986

California Coastal Commission

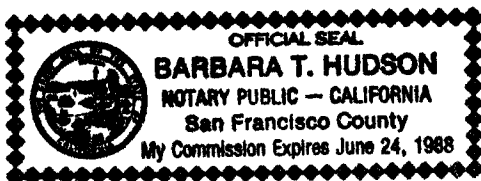
By: Judith W. R/h
Title: Staff Counsel

[ALL SIGNATURES MUST BE ACKNOWLEDGED]

REEL 2033 PAGE 941

STATE OF CALIFORNIA)
COUNTY OF San Francisco)

On December 5, 1986, before
me Barbara T. Hudson, a Notary Public, personally
appeared Judith W. Allen, personally known to me to be (or
proved to me on the basis of satisfactory evidence) to be the
person who executed this instrument as the
Staff Counsel, and authorized representative of
the California Coastal Commission and acknowledged to me that
the California Coastal Commission executed it.



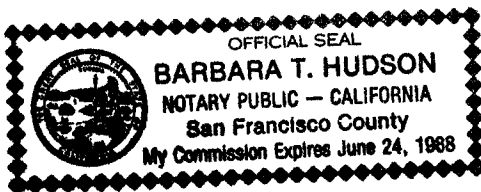
Barbara T. Hudson
Notary Public in and for said
County

STATE OF CALIFORNIA)

COUNTY OF San Francisco)

On December 5, 1986, before
me Barbara T. Hudson, a Notary Public, personally
appeared Harry Fisk, personally known to me to be (or
proved to me on the basis of satisfactory evidence) to be the
person who executed this instrument as the
Vice President, or on behalf of Ventana Inn,
Inc., the corporation therein named, and acknowledged to me
that the corporation executed it.

WITNESS my hand and official seal.



Barbara T. Hudson
Notary Public in and for said
County

Situate in the County of Monterey, State of California, to-wit:

PARCEL I:

Certain real property situate in the County of Monterey, State of California being a portion of Sections 32 and 33 in Township 19 South, Range 2 East, M. D. B. & M., and a portion of Section 5 in Township 20 South, Range 2 East, M. D. B. & M., said portion being particularly described as follows:

BEGINNING at the most westerly corner of that certain parcel of land described in deed from Joseph W. Post, Jr., et al, to John H. Ramistella dated November 20, 1968 and recorded November 21, 1968 in Reel 582 of Official Records of Monterey County at page 156. Said parcel described in deed to Ramistella being shown on that certain Record of Survey Map filed in Volume 8 of Surveys at page 156, Monterey County Records, and said point of beginning being marked by a 2" capped iron pipe "LS 2746" as shown on said Record of Survey Map; thence following the northeasterly line of the California State Highway (bearings of the following six courses being $1^{\circ} 43' 50''$ clockwise of those stated on the highway deed), said northeasterly line being the northeasterly boundary of the strip of land 80 feet wide described in deed to the State of California for highway purposes, from Joseph W. Post, et al, dated February 7, 1936 and recorded March 10, 1936 in Volume 469 of Official Records of Monterey County at page 387.

N. $17^{\circ} 34' 40''$ W., 108.48 feet; thence

Northwesterly along a tangent curve to the left with a radius of 380 feet, through a central angle of $43^{\circ} 53'$ for an arc distance of 291.05 feet; thence tangentially

N. $61^{\circ} 27' 40''$ W., 86.43 feet; thence

Northwesterly along a tangent curve to the right with a radius of 360 feet, through a central angle of $27^{\circ} 46'$ for an arc distance of 174.46 feet; thence tangentially

N. $33^{\circ} 41' 40''$ W., 324.36 feet; thence

Northwesterly along a tangent curve to the right with a radius of 360 feet, through a central angle of $23^{\circ} 17' 40''$ for an arc distance of 146.36 feet; thence (bearings of the following fourteen courses being $1^{\circ} 40' 20''$ clockwise of those stated on the highway deeds of record)

N. $3^{\circ} 43' 20''$ E., non-tangentially to the preceding course and following the easterly line of the 60 foot wide strip of land described to the State of California for road purposes by deed from J. W. Post dated July 12, 1922 and recorded December 26, 1922 in Volume 10 of Official Records of Monterey County at page 130, 299.71 feet; thence again along the easterly boundary of said 80 foot highway strip

N. $6^{\circ} 50' 20''$ E., 77.44 feet; thence

Northerly along a tangent curve to the left with a radius of 640

Continued-----

feet through a central angle of $10^{\circ} 23' 25''$ for an arc distance of 116.06 feet; thence non-tangentially and again along the easterly line of said 60 foot highway strip

N. $3^{\circ} 43' 20''$ E., 111.30 feet; thence

Northerly and northwesterly along a tangent curve to the left with a radius of 230 feet, through a central angle of $49^{\circ} 44' 30''$ for an arc distance of 199.68 feet; thence tangentially

N. $46^{\circ} 01' 10''$ W., 72.15 feet; thence

N. $26^{\circ} 53' 10''$ W., again along the easterly boundary of said 80 foot highway strip, 149.18 feet; thence again along the easterly line of said 60 foot highway strip

Northerly along a non-tangent curve to the right with a radius of 220 feet, through a central angle of $0^{\circ} 27' 22''$ for an arc distance of 1.75 feet to a point of reverse curvature from which the center of said curve of radius 220 feet bears N. $83^{\circ} 22' 50''$ E., thence

Northwesterly along a tangent reverse curve to the left with a radius of 310 feet through a central angle of $30^{\circ} 23' 15''$ for an arc distance of 164.41 feet to the southerly boundary of that certain parcel of land described in deed from Joseph W. Post, et al, to the State of California dated June 4, 1937 and recorded in Volume 536 of Official Records of Monterey County at page 203; thence following the boundary of said last described parcel

N. $73^{\circ} 02' 20''$ E., 166.19 feet; thence

N. $18^{\circ} 11' 40''$ W., 126.53 feet; thence

N. $81^{\circ} 46' 40''$ W., 61.40 feet; thence

N. $10^{\circ} 20' 40''$ W., 192.15 feet; thence

N. $19^{\circ} 34' 40''$ W., 308.99 feet to intersection of said highway parcel boundary with the north line of the south half of the southeast quarter of said Section 32, Township 19 South, Range 2 East, M. D. B. & M., thence leaving the easterly line of said State Highway as shown on said highway map

S. $88^{\circ} 05' 05''$ E. along said north line of the south half of the southeast quarter of Section 32, a distance of 2603.00 feet to the section line between Sections 32 and 33, T. 19 S., R. 2 E., at the northwest corner of the south half of the southwest quarter of Section 33; thence

S. $87^{\circ} 23' 33''$ E., along the north line of the south half of the southwest quarter of Section 33, a distance of 1,170.04 feet; to the Northwest corner of that certain parcel of land described in the Deed

Continued-----

Exhibit 3: Ventana Inn OTDs

to Zad Leavy, et ux., recorded October 20, 1972 in Reel 804 at Page 990, Monterey County Records; thence leaving said North line, and running along the boundary lines of said Leavy parcel the following courses and distances, S. 20° 38' W. 188.58 feet; thence S. 32° 28' 20" W. 198.23 feet; thence S. 63° 20' E. 455 feet; thence N. 86° 18' E. 218.98 feet; thence N. 80° 48' E. 364.04 feet; thence N. 2° 02' 11" E. 438.17 feet to said North line of the South Half of the Southwest quarter of Section 33; thence along said North line S. 87° 23' 33" E. 183 feet; thence leaving said North line S. 2° 02' 11" W. 1326.21 feet to the South line of Section 33 and Township line between Townships 19 South, Range 2 East and 20 South, Range 2 East, said line being the Northerly boundary of said parcel described in Deed to Ramistella; thence along said Township line and Ramistella boundary N. 87° 27' 49" W. 370.47 feet to the Southeast corner of that certain parcel of land described in the Deed to Anne Cole recorded May 12, 1972 in Reel 771 at Page 458, Monterey County Records; thence along the Easterly and Northerly lines of said Cole parcel the following courses and distances N. 2° 02' 11" E. 250 feet; thence N. 13° 41' 20" W. 511 feet; thence S. 56° 20' W. 200 feet; thence S. 83° 13' 40" W. 438.73 feet to the Northeast corner of that certain parcel of land described in the Deed to William B. Burleigh and Sam L. Foster recorded April 26, 1973 in Reel 842 at Page 1112, Monterey County Records; thence along the Northerly lines of said Burleigh parcel the following courses and distances, S. 44° 30' 40" W. 198.31 feet; thence N. 82° 54' 40" W. 230 feet; thence N. 49° 31' 15" W. 270.02 feet; thence S. 41° 44' W. 135.61 feet; thence S. 21° 16' 40" W. 128.30 feet to the Southeast corner of that certain parcel of land described in the deed to Lawrence A. Spector recorded February 24, 1975 in Reel 961 at Page 561, Monterey County Records; thence along the boundary lines of said Spector parcel the following courses and distances, N. 43° 00' W. 480 feet; thence N. 76° 39' 10" E. 814 feet; thence N. 13° 20' 50" W. 245.19 feet; thence N. 87° 23' 33" W. 781.31 feet; thence S. 25° 00' W. 520 feet; thence S. 43° 00' E. 564.05 feet to the Westerly line of said Burleigh parcel; thence leaving said Spector parcel and following the Westerly line of said Burleigh parcel the following courses and distances, S. 15° 12' 20" W. 92.18 feet; thence S. 67° 48' 50" W. 241.40 feet; thence South 60 feet; thence S. 82° 20' E. 170 feet; thence S. 70° 30' E. 60 feet to the aforementioned South line of Section 33; thence leaving said Westerly line of Burleigh and running along the Northerly line of the aforementioned Ramistella parcel (Reel 582 Page 156), N. 87° 27' 49" W. 156 feet to 2" capped iron pipe "LS 2746" marking the common corner of Sections 32 and 33, T. 19 S., R. 2E., and Sections 4 and 5, T. 20 S., R. 2E., as shown on said Records of Survey to which reference is above made; thence leaving said township line, but continuing along the boundary of said parcel described in deed to Ramistella

Continued-----

S. 2° 31' 07" W., 1293.13 feet to 2" capped iron pipe "LS 2746" shown on said Record of Survey Map; thence N. 88° 19' 47" W., 1557.38 feet to the point of beginning.

EXCEPTING THEREFROM 1/10th interest in Spring Lot described in the deed from Big Sur Ventana Corporation, a California corporation; to Anne Cole, a single woman, dated May 1, 1972 and recorded May 12, 1972 in Reel 771 of Official Records of Monterey County at Page 458.

RESERVING THEREFROM a non-exclusive right of way for road and utilities purposes over a strip of land 60 feet wide lying 30 feet on each side of the centerline described in courses 1 through 28 of the Course Table shown on said map.

PARCEL II:

Non-exclusive right of way 60 feet wide for road purposes for ingress and egress as set forth in the deed from John H. Ramistella to Big Sur Ventana Corporation, a California corporation, J. William Post, Jr., J. William Post and Mary Post Fleenor, dated July 20, 1972 and recorded August 23, 1972, in Reel 792 of Official Records of Monterey County at Page 988.

PARCEL III:

Non-exclusive right of way 30 feet wide for road and utilities purposes as reserved in the deed from Big Sur Ventana Corporation to Anne Cole a single woman, dated May 1, 1972 and recorded May 12, 1972, in Reel 771 of Official Records of Monterey County at Page 458.

PARCEL IV:

Non-exclusive right of way for road and utilities purposes as reserved in the deed from Big Sur Ventana Corporation a California corporation to Zad Leavy and Laela Leavy, husband and wife, as Joint Tenants, dated October 6 1972 and recorded October 20, 1972, in Reel 804 of Official Records of Monterey County at Page 990.

PARCEL V:

Non-exclusive right of way over that portion of the 60' right of way described by the centerline set forth in the Course Table of said Survey Map, filed in Volume 10 of Surveys at Page 100, lying within the boundary of the Spector parcel abovementioned (Reel 961, Page 561).

PARCEL VI:

Non-exclusive right of way for road and utilities purposes as reserved in the Deed to William B. Burleigh and Sam L. Foster recorded April 26, 1973 in Reel 842 at Page 1112, Monterey County Records.

RECEIVED

NOV 25 1986

RASMUSSEN
LAND SURVEYING, INC.550 HARTNELL, SUITE 7 MONTEREY, CALIFORNIA 93940
(408) 375-7240

EXHIBIT B

TRANSAMERICA REALTY SERVICES, INC.

REEL 2033 PAGE 947

November 24, 1986

Description of portion of Ventana property lying south and east of the "Forest Service Road"; for Transamerica

Certain real property situate in the County of Monterey, State of California, being a portion of Section 5 in Township 20 South, Range 2 East, M. D. B. & M., being more particularly a portion of that certain parcel of land described in deed from Joseph W. Post, et al, to Big Sur Ventana Corporation, dated January 14, 1972 and recorded January 17, 1972 in Reel 747 of Official Records of Monterey County at Page 239, said portion being described as follows:

Beginning at the southwest corner of said parcel of land, on the northeasterly line of California State Highway No. 1, said corner being marked by a 2" capped pipe, "LS 2746", as shown on Record of Survey Map recorded April 4, 1972 in Volume 10 of Surveys at Page 100, Monterey County Records; thence, following the southwest boundary of said parcel and northeast line of said highway

(1) N. 17° 34' 40" W., 108.48 feet; thence

(2) Northwesterly along a tangent curve to the left with radius of 380 feet, through a central angle of 43° 53', an arc distance of 291.05 feet; thence, tangentially

(3) N. 61° 27' 40" W., 86.43 feet; thence

(4) Northwesterly along a tangent curve to the right with radius of 360 feet, through a central angle of 27° 46', an arc distance of 174.46 feet; thence, tangentially

(5) N. 33° 41' 40" W., 153.15 feet, to intersection of said parcel boundary with the centerline of the road right of way 60 feet wide shown on said map and described as a reservation in said deed; thence, leaving said parcel boundary and highway line and following said right of way centerline

(6) S. 38° 40' E., 52.34 feet; thence

(7) S. 44° 40' E., 168.50 feet; thence

(8) S. 80° 40' E., 245.1 feet; thence

EXHIBIT B

- (9) S. 33° 10' E., 162.0 feet; thence
- (10) S. 52° 10' E., 172.2 feet; thence
- (11) S. 71° 10' E., 123.0 feet; thence
- (12) S. 86° 40' E., 181.3 feet; thence
- (13) N. 66° 20' E., 129.8 feet; thence
- (14) N. 86° 20' E., 77.6 feet; thence
- (15) S. 59° 40' E., 62.7 feet; thence
- (16) N. 47° 20' E., 104.3 feet; thence
- (17) S. 34° 40' E., 116.5 feet; thence
- (18) S. 77° 40' E., 108.6 feet; thence
- (19) N. 14° 20' E., 288.8 feet; thence
- (20) N. 45° 20' E., 162.5 feet; thence
- (21) N. 7° 40' W., 200.00 feet; thence
- (22) N. 83° 50' E., 200.0 feet; thence
- (23) N. 9° 50' E., 178.1 feet; thence
- (24) S. 74° 40' E., 165.6 feet; thence
- (25) N. 53° 50' E., 133.4 feet; thence

(26) N. 72° 50' E., 31.15 feet, to intersection of said right of way centerline with the east boundary of said parcel of land described in deed to Big Sur Ventana Corporation; thence, leaving said centerline and following said parcel boundary

(27) S. 2° 31' 07" W, 972.56 feet, to a 2" x 2" capped pipe, "LS 2746", marking an angle point of said boundary; thence, continuing along said boundary

(28) N. 88° 19' 47" W., 1557.38 feet, to the point of beginning.

EXCLUDING THEREFROM that portion lying within said road right of way 60 feet wide.

Delwyn C. Rasmussen
Delwyn C. Rasmussen.

Licensed Land Surveyor #2689,
State of California (exp 6/88)

END OF DOCUMENT